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**COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT**

SUBDIVISION REVIEW BOARD

MEETING DATE October 3, 2005	CONTACT/PHONE Elizabeth Kavanaugh (805) 788-2010	APPLICANT Cheryl & Roger Kelling	FILE NO. CO 04-0515 SUB2004-00121				
SUBJECT Request by Cheryl & Roger Kelling for a Vesting Tentative Parcel Map to subdivide an existing 4.86 acre parcel into two parcels of 2.43 acres each for the purpose of sale and/or development. The proposed project is within the Residential Suburban land use category and is located on the south side of San Antonio Road (at 14200 San Antonio Road), approximately 1,750 feet west of Carmel Road. The site is approximately 0.8 miles south of the City of Atascadero, in the Salinas River planning area.							
RECOMMENDED ACTION 1. Adopt the Negative Declaration in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et seq. 2. Approve Vesting Tentative Parcel Map CO 04-0515 based on the findings listed in Exhibit A and the conditions listed in Exhibit B.							
ENVIRONMENTAL DETERMINATION The Environmental Coordinator, after completion of the initial study finds that there is no substantial evidence that the project may have a significant effect on the environment, and that the preparation of an Environmental Impact Report is not necessary. Therefore, a Mitigated Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulation section 15000 et seq.) has been issued on August 18, 2005 for this project. Mitigation measures are proposed to address air quality, biology, recreation, water, and wastewater.							
LAND USE CATEGORY Residential Suburban	COMBINING DESIGNATION None	ASSESSOR PARCEL NUMBER 059-141-014	SUPERVISOR DISTRICT(S) 5				
PLANNING AREA STANDARDS: Minimum Parcel Size; Planning Impact Area - Atascadero; Shared Driveways							
LAND USE ORDINANCE STANDARDS: Minimum Parcel Size; Transfer of Development Credit (TDC); Secondary Dwellings; Underground Utilities							
EXISTING USES: A single-family residence							
SURROUNDING LAND USE CATEGORIES AND USES: <table style="width: 100%;"><tr><td style="width: 50%;">North: Residential Suburban / residences</td><td style="width: 50%;">East: Residential Suburban / residences</td></tr><tr><td>South: Residential Suburban / residences</td><td>West: Residential Suburban / residences</td></tr></table>				North: Residential Suburban / residences	East: Residential Suburban / residences	South: Residential Suburban / residences	West: Residential Suburban / residences
North: Residential Suburban / residences	East: Residential Suburban / residences						
South: Residential Suburban / residences	West: Residential Suburban / residences						
OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Public Works, Environmental Health, County Parks, CDF, the City of Atascadero, Air Pollution Control District, and the Santa Margarita Area Advisory Council							
TOPOGRAPHY: Gently sloping		VEGETATION: Non native grasses and oaks					
PROPOSED SERVICES: Water supply: Community system (Atascadero Mutual Water) Sewage Disposal: Individual septic system Fire Protection: CDF/County Fire		ACCEPTANCE DATE: October 22, 2005					
ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER ♦ SAN LUIS OBISPO ♦ CALIFORNIA 93408 ♦ (805) 781-5600 ♦ FAX: (805) 781-1242							

ORDINANCE COMPLIANCE:

Project conforms to San Luis Obispo County Ordinance standards as follows:

Minimum Allowable Parcel Size – Residential Suburban

Section 22.22.070 of the Land Use Ordinance establishes standards for determining minimum parcel sizes in the Residential Suburban land use category. The standards are based on the topography of the site and the type of water supply and sewage disposal. Minimum parcel size is based on the largest parcel size as calculated by tests. While the tests establish a minimum parcel size of one acre, the Planning Area Standards restrict the minimum parcel size in this area to 2.5 acres. The applicant has requested a subdivision resulting in 2.43 acre parcels under the provisions of the County Transfer of Development Credit (TDC) program.

TDC – Determination of Eligibility

Eligibility criteria for TDC receiver sites is established in Section 22.24.070.A of the Land Use Ordinance. In order to be eligible to receive development credits a site must meet all of eight criteria:

1. Unavoidable Impacts Relating to Additional Density – A Negative Declaration was prepared pursuant to the California Environmental Quality Act. No significant unavoidable impacts were identified.
2. Agriculture Preserve – The parcel is not under Williamson Act contract.
3. Proximity to Urban Reserve Line – The project is located within 5 miles of the Atascadero Urban Reserve Line and the Garden Farms Village Reserve Line.
4. Slope – The footprint of development is located on less than 30 percent slope.
5. Sensitive Resource / Hazard Areas – The proposed site is not located in a Sensitive Resource Area, Flood Hazard, or Geologic Study Area combining designation. According to the Safety Element, the site is not located in an Earthquake Fault Zone or in the Very High Fire Hazard Area.
6. Significant Biological Areas – According to the Natural Areas Plan, the proposed project is not located in a significant biological, geographical, or riparian habitat.
7. Development Standards – As proposed and conditioned, the project meets the standards of Titles 19, 21, and 22.
8. Site Status – The receiving site is not an approved sending site.

TDC – Base Density

The base density is the maximum number of allowable lots for a given site. Because the minimum parcel size established in the Planning Area Standards is 2.5 acres, and the parent parcel is 4.86 acres, the base density is one lot.

TDC – Determination of Bonus Development

Section 22.24.070.B.2.d of the Land Use Ordinance allows division of a parcel that does not otherwise qualify for subdivision into no more than one additional parcel. The resultant parcels cannot be less than the lowest minimum parcel size in the Residential Suburban land use category, which is one acre. The site would qualify for the one acre minimum parcel size absent the planning area standard that sets a 2.5 acre minimum. In order to grant this bonus, one transfer of development credit will need to be retired prior to recordation of the final map.

Secondary Dwellings

The Land Use Ordinance prohibits secondary dwellings for lots in the Residential Suburban land use category south of the Atascadero Urban Reserve Line.

Underground Utilities

This project is conditioned to provide underground utilities per section 22.10.160.

Quimby Fees

Title 21, the Real Property Division Ordinance, establishes an in-lieu fee for all new land divisions for the purpose of developing new, or rehabilitating existing, park or recreational facilities to serve the land division. Payment of the parkland fee for all undeveloped parcels is required prior to map recordation.

Affordable Housing Fees

Sections 18.07 et seq. of Title 18 of the County Code establishes an in-lieu fee of 3.5% of the public facility fee for all new land divisions. This allows recognized affordable housing projects to be exempted from public facility fees.

Design Standards

The proposed parcels are consistent with the design criteria set forth in Chapter 3 of the Title 21 of the Real Property Division Ordinance.

PLANNING AREA STANDARDS:

Project conforms to the Salinas River Planning Area standards as follows:

Minimum Parcel Size

The minimum parcel size for land division in the Residential Suburban land use category within the Atascadero Colony is 2.5 acres. The applicant has requested a subdivision resulting in 2.43 acre parcels under the provisions of the County Transfer of Development Credit (TDC) program. The proposed parcels would be .07 acres smaller than otherwise allowed by the planning area standards.

Planning Impact Area – Atascadero

This project is located adjacent to the City of Atascadero. The county is required to refer projects within the planning impact area, to the City for comments. This project was referred to the City of Atascadero on September 29, 2004. No response was received.

Shared Driveways

Shared driveways are encouraged to minimize the number of access points to the street. The project is conditioned to include a shared driveway.

COMBINING DESIGNATIONS:

None

OTHER ISSUES:

Neighborhood Compatibility

According to the Framework for Planning (Inland) of the Land Use Element, the purpose of minimum parcel size regulations is to keep new development compatible with existing adjacent uses and planned future development. The project is located in the South Atascadero area, which is characterized by scattered residences on large parcels. Parcels along this portion of San Antonio Road range in size from 2.08 acres to 5.92 acres. The proposed parcel sizes of 2.43 acres are consistent with the range of sizes in the surrounding vicinity, and are .07 acres smaller than otherwise allowed by the planning area standards.

COMMUNITY ADVISORY COUNCIL COMMENTS:

This project is scheduled for review by the Santa Margarita Area Advisory Council (SMAAC) on September 14, 2005. SMAAC's comments will be provided during the Subdivision Review Board hearing.

AGENCY REVIEW:

Public Works – Recommends approval with stock conditions.

Environmental Health – Final will-serve letter is required prior to recordation. Comprehensive soil testing is required for Parcel Two prior to recordation. *The project is conditioned to address these concerns.*

County Parks - Pay Quimby fees and applicable Building Division fees.

City of Atascadero – As of the preparation of this report, no comments have been received.

CDF – Issued a Fire Safety letter dated November 3, 2004.

APCD – Concerns regarding development outside of the URL, use of TDC outside of the URL, dust control, demolition activities, naturally occurring asbestos, and wood combustion. *Comments from the APCD were considered in the environmental review. Mitigation measures have been developed to bring air quality impacts below the threshold of significance.*

LEGAL LOT STATUS:

The parent lot was legally created by recorded map (Atascadero Colony).

FINDINGS - EXHIBIT A

Environmental Determination

- A. The Environmental Coordinator, after completion of the initial study finds that there is no substantial evidence that the project may have a significant effect on the environment, and that the preparation of an Environmental Impact Report is not necessary. Therefore, a Mitigated Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulation section 15000 et seq.) has been issued on August 18, 2005 for this project. Mitigation measures are proposed to address air quality, biology, recreation, water, and wastewater.

Tentative Map

- B. The proposed map is consistent with applicable county general and specific plans because it complies with applicable area plan standards and is being subdivided in a consistent manner with the Residential Suburban land use category.
- C. The proposed map is consistent with the county zoning and subdivision ordinances because the parcels meet the minimum parcel size set by the Land Use Ordinance and the design standards of the Real Property Division Ordinance.
- D. The design and improvement of the proposed subdivision are consistent with the applicable county general and specific plans because no improvements are required and conditions of approval and the design of the parcels meets applicable policies of the general plan and ordinances.
- E. The site is physically suitable for the type of development proposed because the proposed parcels contain adequate area for development of one single-family residence each.
- F. The site is physically suitable for the proposed density of the development proposed because the site can adequately support two primary dwellings.
- G. The design of the subdivision or the proposed improvements will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat because the site is not critical habitat fish or wildlife and the vicinity is already developed with single family residences.
- H. The design of the subdivision or the type of improvement will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.
- I. The proposed map complies with Section 66474.6 of the State Subdivision Map Act, as to methods of handling and discharge of waste.

Transfer of Development Credit (TDC) Receiver Site.

- J. The site qualifies as a TDC Receiver Site as follows: (1) the project is recommended for a mitigated negative declaration; (2) the site is not within agricultural preserve; (3) the site is within 10 miles of an urban reserve line (Atascadero urban reserve line); (4) the applicant has designated building sites and access drives where footprint of development is located on less than 30 percent slopes; (5) the footprint of development is outside of SRA, FH, GSA, Earthquake Fault Zone and the Very High Fire Hazard Area, because none of the site is located within these areas; (6) the footprint of development is outside of a Significant Biological, Geographical or Riparian Habitat as defined by the Natural Areas Plan (appendix B of the Ag and Open Space Element of the general plan) because none of the site is located within these areas and (7) the development complies with all development standards, water, sewage disposal and access standards and all land division standards as set forth in Titles 19, 21, and 22.

EXHIBIT B
Conditions of approval for CO 04-0375

Approved Project

1. This approval authorizes the division of a 4.86 acre parcel into two parcels of 2.43 acres each, providing verification of retiring of a Transfer Development Credit.

Access and Improvements

2. Roads and/or street to be constructed to the following standards: San Antonio Road widened to complete an A-1 section fronting the property.
3. The applicant shall offer for dedication to the public by certificate on the map, or by separate document:
 - a. For future road improvement, 25 feet along Pasadena Road, to be described as the southwesterly 25 feet of Parcel 2
 - b. For road widening purposes, 5 feet along San Antonio Road, to be described as 25 feet from the recorded centerline.
4. A private easement utilizing a shared driveway shall be reserved on the map for access to Parcel 2.

Improvement Plans

5. Improvement plans shall be prepared in accordance with San Luis Obispo County Improvement Standards and Specifications by a Registered Civil Engineer and submitted to the Department of Public Works and the County Health Department for approval. The plan is to include:
 - a. Street plan and profile.
 - b. Drainage ditches, culverts, and other structures (if drainage calculations require).
 - c. Water plan (County Health).
 - d. Grading and erosion control plan for subdivision related improvement locations.
 - e. Public utility plan, showing all existing utilities and installation of all utilities to serve every lot.
6. The applicant shall enter into an agreement with the County for the cost of checking the map, the improvement plans if any, and the cost of inspection of any such improvements by the County or its designated representative. The applicant shall also provide the County with an Engineer of Work Agreement retaining a Registered Civil Engineer to furnish construction phase services, Record Drawings and to certify the final product to the Department of Public Works.
7. The Registered Civil Engineer, upon completion of the improvements, must certify to the Department of Public Works that the improvements are made in accordance with all conditions of approval, including any related land use permit conditions and the approved improvement plans. All public improvements shall be completed prior to occupancy of any new structure.

Drainage

8. The applicant shall submit complete drainage calculations to the Department of Public Works for review and approval.

9. If calculations so indicate, drainage must be retained in a drainage basin on the property. The design of the basin is to be approved by the Department of Public Works in accordance with county standards.
10. If a drainage basin is required, the drainage basin along with rights of ingress and egress shall be offered for dedication to the public by certificate on the map with an additional easement reserved in favor of the owners and assigns.

Wastewater Disposal

11. **Prior to the filing of the final parcel map**, the applicant shall submit to and be jointly approved by the County Department of Planning and Building and Health Department, results of percolation tests and the log or logs of soil borings performed by a registered civil engineer. For this purpose, the applicant shall perform one or more soil borings to be a minimum depth of ten (10) feet in the area of the appropriate area of the proposed sewage disposal system to determine the: a) subsurface soil conditions, (example: impermeable strata which act as barriers to the effective percolation of sewage); b) presence of groundwater; c) separation between sewage disposal saturation areas and groundwater; d) borings shall be as deep as necessary below the proposed on-site disposal area to assure required separation. The applicant must perform a minimum of three (3) percolation test holes, to be spaced uniformly in the area of the proposed sewage disposal system. (Parcel 2 only).

Water

12. **Prior to recordation of the final map**, a final will-serve letter from the Atascadero Mutual Water Company shall be submitted to the Environmental Health Department for service to both Parcels 1 and 2.
13. Water distribution improvements shall be built to each parcel or construction of the water lines may be delayed by way of a County approved performance bond.

Utilities

14. Electric and telephone lines shall be installed underground.
15. Cable T.V. conduits shall be installed in the street.
16. Gas lines shall be installed.

Design

17. The lots shall be numbered in sequence.

Fire Protection

18. **Prior to issuance of final map**, the applicant shall obtain a fire safety clearance letter from the California Department of Forestry (CDF)/County Fire Department establishing fire safety requirements stated in the fire safety letter dated November 3, 2004.

Parks and Recreation (Quimby) Fees

19. Unless exempted by Chapter 21.09 of the county Real Property Division Ordinance or California Government Code section 66477, prior to filing of the final parcel or tract map, the applicant shall pay the in-lieu" fee that will be used for community park and recreational purposes as required by Chapter 21.09. The fee shall be based on the total

number of new parcels shown on the map that do not already have legal residential units on them.

Affordable Housing Fee

20. **Prior to filing the final parcel**, the applicant shall pay an affordable housing fee of 3.5 percent of the adopted public facility fee effective at the time of recording for each residential lot. This fee shall not be applicable to any official recognized affordable housing included within the residential project.

TDC Program

21. **Prior to recordation of the final map**, the applicant shall release their ownership in the Receipt of Transfer or the Certificate of Sending Credits to the Department of Planning and Building. Acceptance of the release shall only occur if the credits are located in conformance with Section 22.24.090 of Title 22. The Director shall notify the TDC Administrator of the release and specify the registration numbers of the credits that were used. After release, the credits are no longer valid and available for use.

Additional Map Sheet

22. The applicant shall prepare an additional map sheet to be approved by the county Department of Planning and Building and the Department of Public Works. The additional map sheet shall be recorded with the final parcel or tract map. The additional map sheet shall include the following:
- a. That secondary dwellings shall not be allowed on all lots within the land division.
 - b. Notification to prospective buyers of the county's Right to Farm Ordinance currently in effect at any time said deed(s) are recorded.
 - c. If improvements are bonded for, all public improvements (roads, drainage, and utilities) shall be completed prior to occupancy of any new structure.
 - d. A notice that no construction permits will be given a final inspection until the fire safety conditions established in the letter dated November 3, 2004 from the California Department of Forestry (CDF)/County Fire Department are completed.
 - e. In the event archaeological resources are unearthed or discovered during any construction activities, the following standards apply:
 - i. Construction activities shall cease, and the Environmental Coordinator and Planning Department shall be notified so that the extent and location of discovered materials may be recorded by a qualified archaeologist, and disposition of artifacts may be accomplished in accordance with state and federal law.
 - ii. In the event archaeological resources are found to include human remains, or in any other case where human remains are discovered during construction, the County Coroner is to be notified in addition to the Planning Department and Environmental Coordinator so that proper disposition may be accomplished.
 - f. At the time of application for construction permits, the applicant shall clearly delineate the building site(s), driveway, and guesthouses. All new development (e.g. residences, detached garages, guest houses, sheds, access roads and driveways) shall be located where no oak trees are removed.
 - g. During construction/ground disturbing activities, the applicant shall implement the following particulate (dust) control measures. These measures shall be shown on all applicable plans prior to construction permit issuance: In addition, the

contractor or builder should designate a person or persons to monitor the dust control program and to order increase watering, as necessary, to prevent transport of dust off site. Their duties shall include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons all be provided to the APCD prior to land use clearance of map recordation and land use clearance for finish grading of the structure.

- i. Reduce the amount of disturbed area where possible;
 - ii. Use water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency will be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible;
 - iii. All dirt stock pile areas should be sprayed daily as needed;
 - iv. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible; and,
 - v. Building pads should be laid as soon as possible after grading unless seeding or soil binders are used.
- h. **Prior to issuance of grading and construction permits**, the applicant shall conduct a geologic investigation for naturally occurring asbestos on the project site or provide a waiver of this requirement from the APCD. If naturally occurring asbestos is found at the site, the applicant must comply with all requirements outlined in the Asbestos ATCM for Construction, Grading, Quarrying, and Surface Mining Operations. These requirements may include, but are not limited to: 1) an Asbestos Dust Mitigation Plan which must be approved by the APCD before construction begins, and 2) an Asbestos Health and Safety Program may be required.
- i. **Prior to issuance of grading and construction permits**, removal or relocation of utility lines included as part of this project will be subject to requirements stipulated in the National Emission Standard for Hazardous Air Pollutants (NESHAP). These requirements include, but are not limited to; 1) notification requirements to the District, 2) asbestos survey conducted by a Certified Asbestos Inspector, and 3) applicable removal and disposal requirements of identified ACM. Please contact Tim Fuhs of the APCD Enforcement Division at (805) 781-5912.
- j. **Prior to issuance of grading and construction permits for individual lot development**, the applicant shall submit a wetland delineation to the County Environmental Division for review and approval. Residential improvements shall be setback at least 50 feet from the delineated wetland boundary. Project plans shall include sedimentation and erosion protection measures and adequate drainage improvements (e.g. culvert) to ensure no impacts to the existing flow or direction of onsite drainage would occur.
- k. At the time of application for construction permits, project plans shall include drainage improvements that do not modify the existing flow rates or direction of the existing drainage. To minimize potential sedimentation within the drainage to Paloma Creek, a sedimentation and erosion control plan shall be prepared that minimizes project sediment from reaching the creek. At a minimum, straw wattles (or comparably effective devices as determined by the Environmental Monitor) shall be placed on the downslope sides of the proposed work which would direct flows into temporary sedimentation basins. This shall be checked and maintained regularly and after all larger storm events. All remedial work

- shall be done immediately after discovery so sedimentation control devices remain in good working order.
- l. **Prior to issuance of construction permits for individual lot development**, the applicant shall submit documentation that an Army Corps of Engineers permit and Regional Water Quality Control Board permit are unnecessary or shall submit copies of required permits.
 - m. Prior to issuance of building permits for Parcel 2, the applicant shall submit comprehensive soil testing results, consistent with the Basin Plan, or shall submit plans for an engineered system.
 - n. **Prior to issuance of building permits for Parcel 2**, in order to avoid/minimize potential discharge into surface waters from construction equipment, fuels, oils, etc, protection measures shall be shown on project plans including identification of staging areas, inspection of equipment, and storage of clean-up materials on site.
 - o. That approval of the subdivision included the use of Transfer Development Credits, the number of credits used, their registration numbers, and the location and assessor's parcel numbers of the sending site.
 - p. **Prior to issuance of building or grading permits for Parcel 2**, the applicant shall provide a site plan verifying access from the shared driveway designated on the final map.

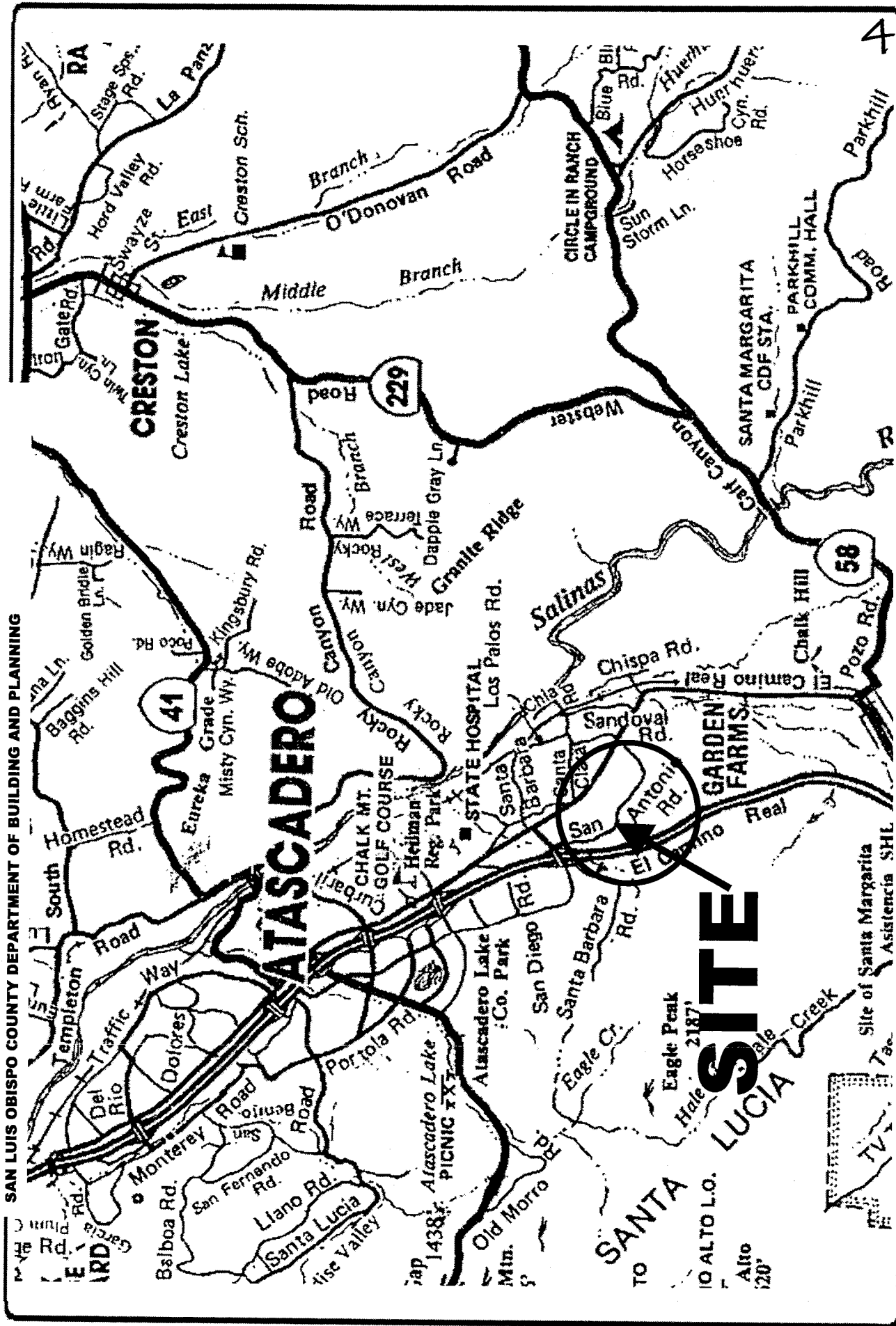
Miscellaneous

- 23. This subdivision is also subject to the standard conditions of approval for all subdivisions using community water and septic tanks, a copy of which is attached hereto and incorporated by reference herein as though set forth in full.
- 24. Applicant shall file with the Department of Public Works an application requesting apportionment of any unpaid assessments under the Improvement Bond Act of 1915, in compliance with Section 8740.1 of the Streets and Highways Code of the State of California. Said apportionment must be completed prior to filing the map.
- 25. All timeframes on approved tentative maps for filing of final parcel or tract maps are measured from the date the Review Authority approves the tentative map, not from any date of possible reconsideration action.

STANDARD CONDITIONS OF APPROVAL FOR SUBDIVISIONS
USING COMMUNITY WATER AND SEPTIC TANKS

1. Community water and fire protection shall be obtained from the community water system.
2. Operable water facilities from an approved community water source shall be assured prior to the filing of the final map. A "final will serve" letter shall be obtained and submitted to the county Health Department for review and approval stating there are operable water facilities immediately available for connection to the parcels created. Water main extensions, laterals to each parcel and related facilities (except well(s)) may be bonded for subject to the approval of county Public Works, the county Health Department and the public water utility.
3. No residential building permits are to be issued until the community (public) water system is operational with a domestic water supply permit issued by the county Health Officer.
4. In order to protect the public safety and prevent possible groundwater pollution, any abandoned wells on the property shall be destroyed in accordance with the San Luis Obispo County Well Ordinance Chapter 8.40, and county Health Department destruction standards. The applicant is required to obtain a permit from the county Health Department.
5. When a potentially operational or operational auxiliary water supply in the form of an existing well(s) is located on the parcels created and approved community water is proposed to serve the parcels, the community water supply shall be protected from real or potential cross-contamination by means of an approved cross-connection control device installed at the meter or property line service connection prior to occupancy. (Chapter 8.30, San Luis Obispo County Ordinance)
6. On-site systems that are in conformance with the county-approved Central Coast Regional Water Quality Control Board basin plan will be an acceptable method of sewage disposal, until public sewers may become available.
7. No sewage disposal system installations are to be placed closer than 100 feet from the top of any perennial or continuous creek banks, drainage swales or areas subject to inundation.
8. For parcels created with approved community (public) water but no community sewers, the approved on-site sewage disposal systems shall be designed, where feasible, for ease in ultimate sewerage.
9. Sewage disposal systems shall be separated from any individual domestic well and/or agricultural well, as follows: 1) leaching areas, feed lots, etc., one hundred (100) feet and bored seepage pits (dry wells), one hundred and fifty (150) feet. Domestic wells intended to serve multiple parcels or 25 or more individuals at least 60 days out of the year shall be separated by a minimum of two hundred (200) feet from a leachfield, two hundred and fifty (250) feet from seepage pits or dry wells.

10. Sewage disposal systems installed on slopes in excess of 20% shall be designed and certified by a registered civil engineer or geologist and submitted to the county Planning and Health Departments for review and approval prior to the issuance of a building permit. Consultants shall determine geologically stable building sites and sewage disposal for each parcel, including evaluations of hillside stability under the most adverse conditions including rock saturation and seismic forces. Slopes in excess of 30% are not considered suitable or practical for on-site subsurface sewage disposal.
11. An encroachment permit shall be obtained from county Public Works for any work to be done within the county right-of-way.
12. An encroachment permit be obtained from the California Department of Transportation for any work to be done on the state highway.
13. Any existing reservoir or drainage swale on the property shall be delineated on the map.
14. Prior to submission of the map "checkprints" to county Public Works, the project shall be reviewed by all applicable public utility companies and a letter be obtained indicating required easements.
15. Required public utility easements be shown on the map.
16. Approved street names shall be shown on the map.
17. The applicant shall comply with state, county and district laws/ordinances applicable to fire protection and consider increased fire risk to area by the subdivision of land proposed.
18. The developer shall submit a preliminary subdivision guarantee to county Public Works for review prior to the filing of the map.
19. Any private easements on the property shall be shown on the map with recording data.
20. All conditions of approval herein specified, unless otherwise noted, are to be complied with prior to the filing of the map.
21. After approval by the Review Authority, compliance with the preceding conditions will bring the proposed subdivision in conformance with the Subdivision Map Act and county ordinances.
22. A map shall be filed in accordance with Subdivision Map Act and county ordinance prior to sale, lease, or financing of the lots proposed by the subdivision.
23. A tentative map will expire 24 months from the effective date of the approval. Tentative maps may be extended. Written requests with appropriate fees shall be submitted to the Planning Department prior to the expiration date. The expiration of tentative maps will terminate all proceedings on the matter.



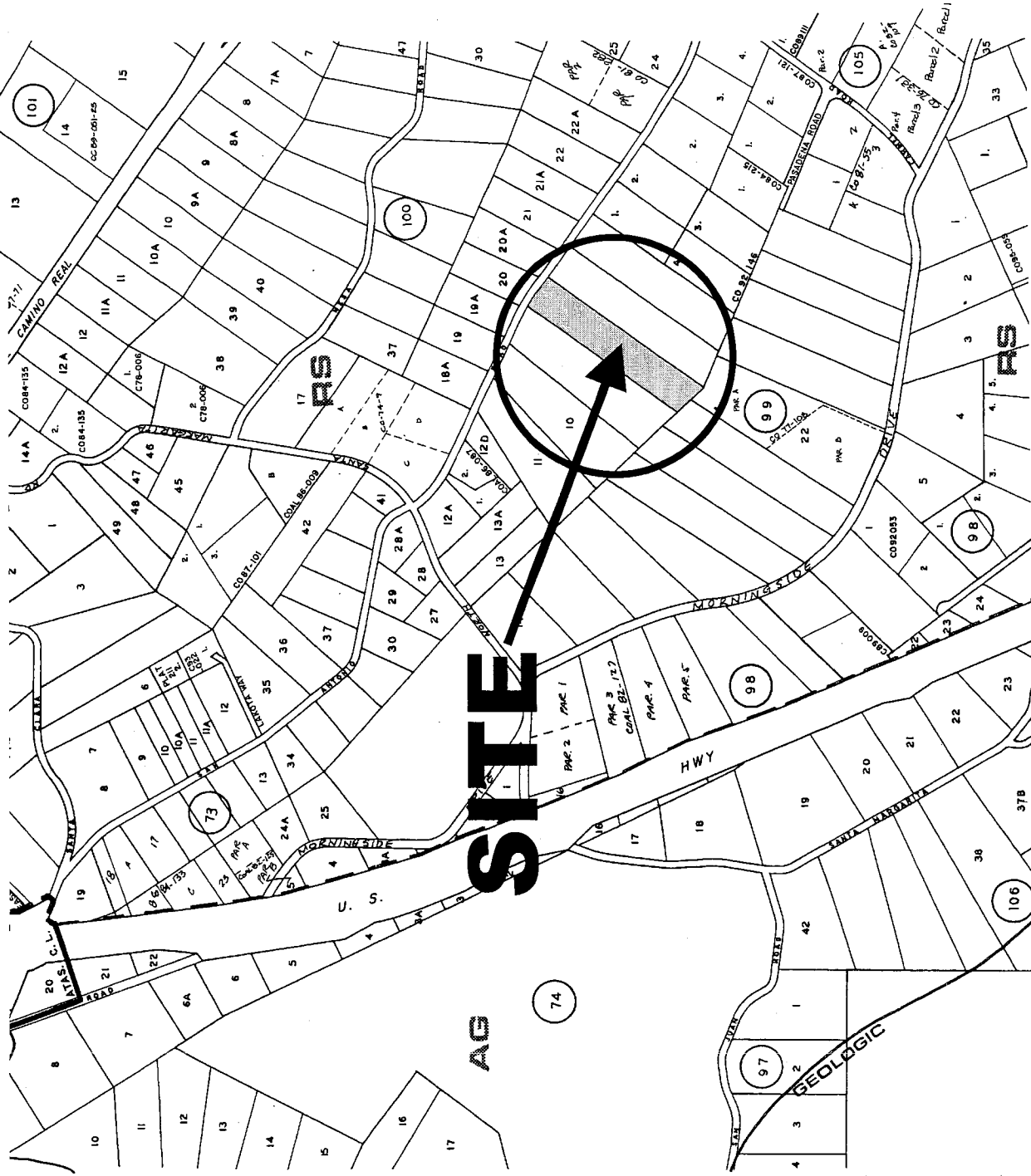
PROJECT

TDC Rec Site / Parcel Map
Kelling SUB2004-00121 CO04-0515

EXHIBIT

Vicinity Map





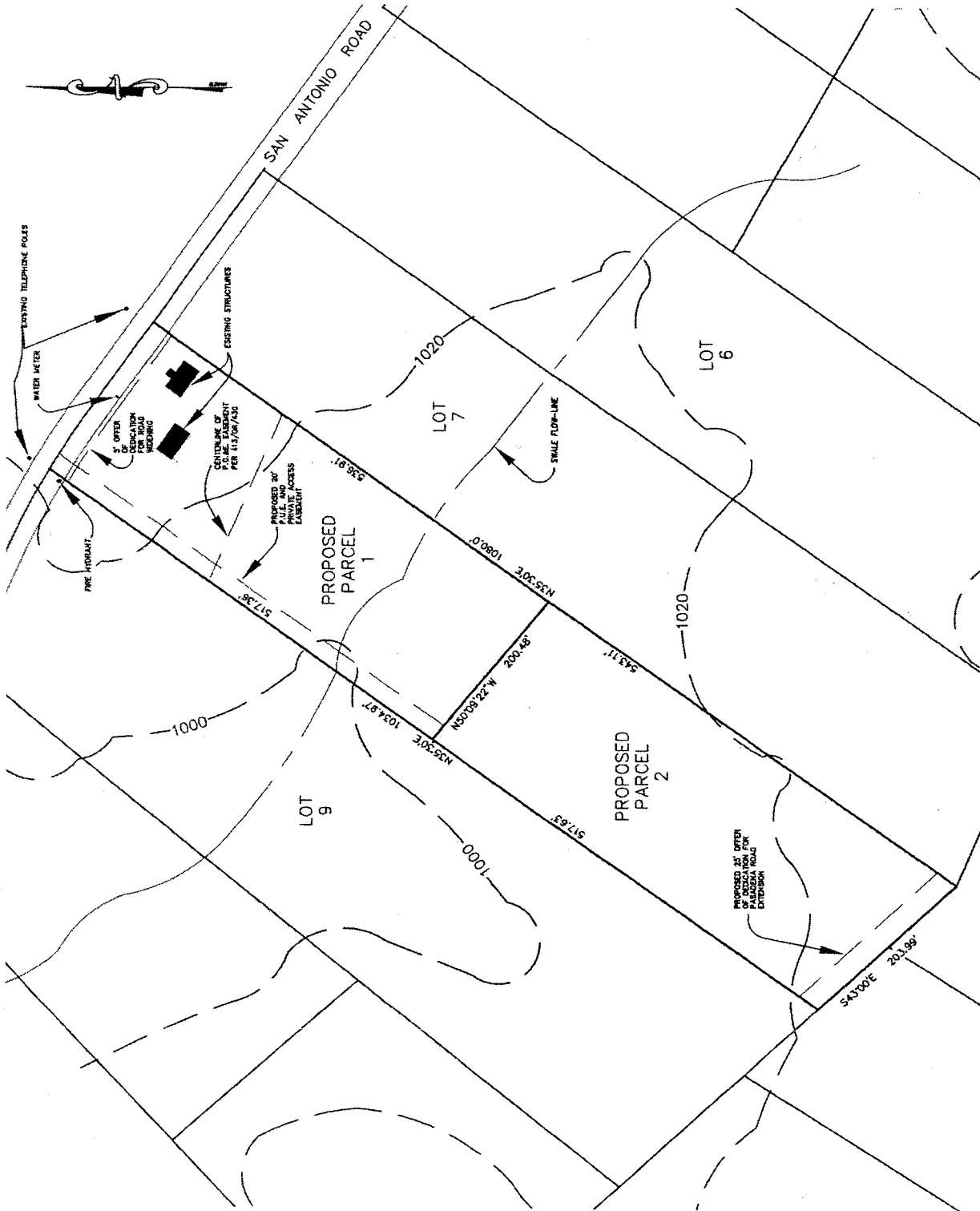
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PROJECT

TDC Rec Site / Parcel Map
Kelling SUB2004-00121 CO04-0515

EXHIBIT

Land Use Category



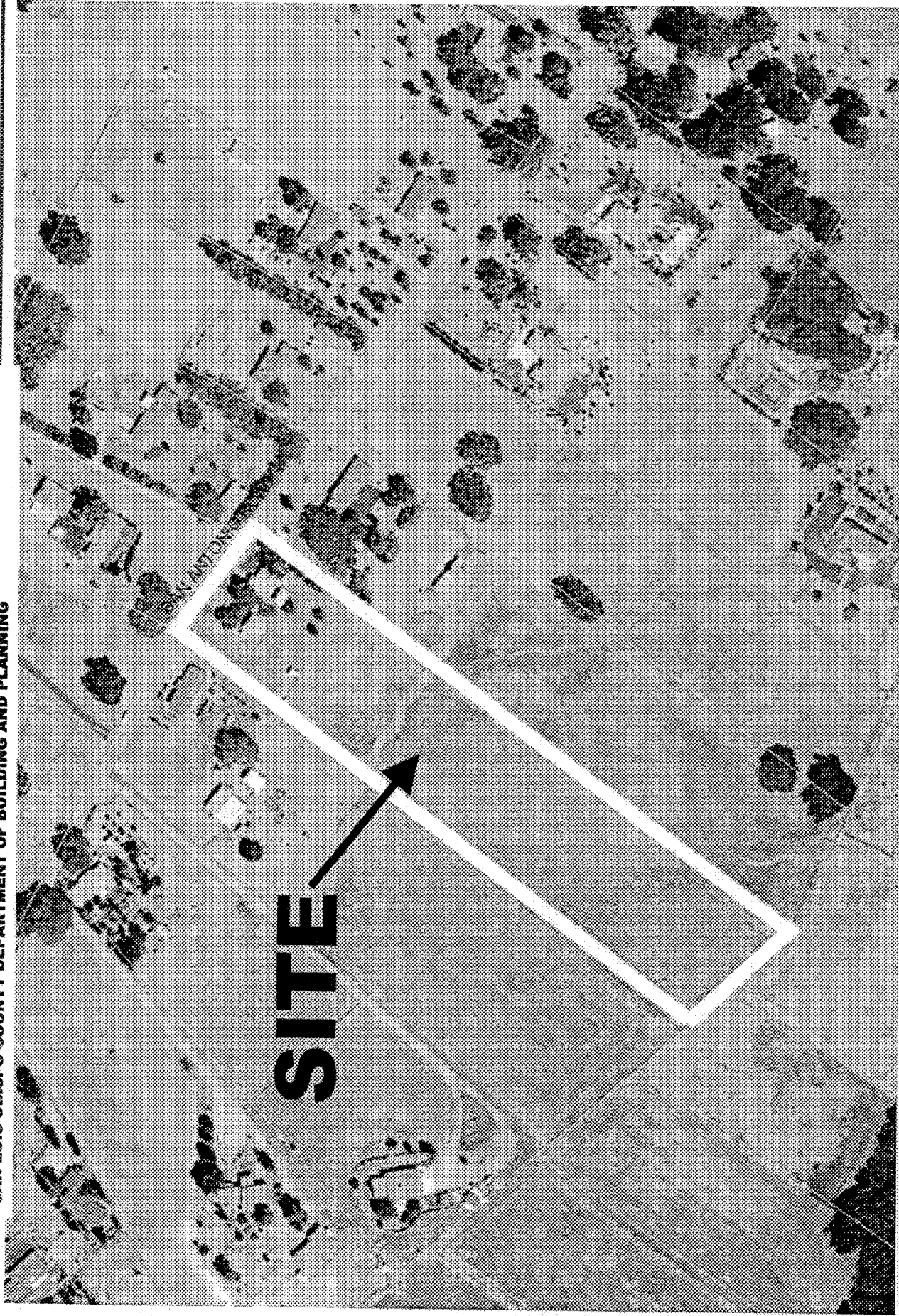
EXHIBIT

Site Plan



PROJECT

TDC Rec Site / Parcel Map
Kelling SUB2004-00121 CO04-0515



PROJECT

TDC Rec Site / Parcel Map
Kelling SUB2004-00121 CO04-0515



EXHIBIT

Vicinity Map

4-17



4-18
SAN LUIS OBISPO COUNTY
DEPARTMENT OF PLANNING AND BUILDING

RECEIVED

VICTOR HOLANDA, AICP
04 DIRECTOR

THIS IS A NEW PROJECT REFERRAL

DATE:

9/29/04

TO:

Leonard Mansell

FROM:

North Co. Team
(Please direct response to the above)

Kelling
SUB2004-00121
Project Name and Number CO 04-0515

Development Review Section (Phone: 781-788-2009) (781-5600)

PROJECT DESCRIPTION:

Parcel map (2 way lot split) using one
TDC. Located in Atascadero off San Antonio Rd.
4.86 Acres. 059-141-014 See maps.

Return this letter with your comments attached no later than:

10/14/04

PART I

IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?

☒

YES (Please go on to Part II)

NO (Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

PART II

ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

☒

NO (Please go on to Part III)

YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)

PART III

INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. IF YOU HAVE "NO COMMENT," PLEASE INDICATE OR CALL.

RESTRICT USE OF PARCEL 2'S EASEMENT
FOR THEIR USE ONLY.

10/5
Date

LF Mansell
Name

5199
Phone



E-

449

SAN LUIS OBISPO COUNTY
DEPARTMENT OF PLANNING AND BUILDING

RECEIVED

OCT 07 2004

2004 OCT -1 AM 9:52 VICTOR HOLANDA, AICP
DIRECTOR

Planning & Bldg

THIS IS A NEW PROJECT REFERRAL

DATE:

9/29/04 10/06/04

FROM:

Parks

TO:

North Co. Team

(Please direct response to the above)

Kelling
SUB2004-00121
Project Name and Number CO04-0515

Development Review Section (Phone: 781-788-2009) (781-5600)

PROJECT DESCRIPTION:

Parcel map (2way lot split) using one
JDC. Located in Atascadero off San Antonio Rd.
4.86 Acres. 059-141-014 See maps.

Return this letter with your comments attached no later than:

10/14/04

PART I

IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?

☒

YES (Please go on to Part II)

☐ NO (Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

PART II

ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

☒

NO (Please go on to Part III)

☐ YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)

PART III

INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. IF YOU HAVE "NO COMMENT," PLEASE INDICATE OR CALL.

Require Quimby Fees and applicable Building
Division fees.

Date

10/06/04

Name

JAN Di Leo

Phone

4089

No. Co. Planner



County of San Luis Obispo • Public Health Department

4-20

Environmental Health Services

2156 Sierra Way • P.O. Box 1489
San Luis Obispo, California 93406
(805) 781-5544 • FAX (805) 781-4211

Gregory Thomas, M.D., M.P.H.
County Health Officer
Public Health Director

Curtis A. Batson, R.E.H.S.
Director

September 30, 2004

SB Planning
1425 14th Street
Los Osos, CA 93422

ATTN: STEPHEN BABCOCK
RE: TENTATIVE PARCEL MAP CO 04-0515 (KELLING)

Water Supply

This office is in receipt of a **preliminary** can and will serve letter from the Atascadero Mutual Water Company to provide water to the above referenced project.

Be advised that a final will serve letter will be required prior to recordation of the final map. Water distribution improvements shall be built to each parcel or construction of the water line improvements may be delayed by way of a county approved performance bond.

Wastewater Disposal

A system is currently located on proposed parcel 1. Comprehensive soil testing will be required for proposed parcel 2 prior to final recordation. Individual wastewater disposal systems, designed and constructed to meet county and state requirements, should adequately serve the parcels.

CO 04-0515 is approved for Health Agency subdivision map processing.

Laurie A. Salo

LAURIE A. SALO, R.E.H.S.
Senior Environmental Health Specialist
Land Use Section

c: Kami Griffin, County Planning
North County Team, County Planning
AMWC



EL

421

SAN LUIS OBISPO COUNTY
DEPARTMENT OF PLANNING AND BUILDING

OCT - 1 2004

VICTOR HOLANDA, AICP
DIRECTOR

COUNTY OF SAN LUIS OBISPO
THIS IS A NEW PROJECT REFERRAL

DATE: 9/29/04
FROM: RW
FROM: North Co. Team
(Please direct response to the above)

Kelling
SUB2004-00121
Project Name and Number CO 04-0515

Development Review Section (Phone: 781-788-2009) (781-5600)

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NO (Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

PART II ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

✓ NO (Please go on to Part III)
YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)

PART III INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. IF YOU HAVE "NO COMMENT," PLEASE INDICATE OR CALL.

RECOMMEND Approval - STUCKS ATTACHED:

20 OCT 2004
Date

Goodwin
Name

6252
Phone

EXHIBIT B

CONDITIONS OF APPROVAL FOR CO 04-0515, KELLING 4-22
BABCOCK

Approved Project

This approval authorizes the division of a _____ acre parcel into _____ parcels of _____ **acres / square feet** each.

Access and Improvements

☒ Roads and/or streets to be constructed to the following standards:

a. _____ constructed to a _____ section within a _____ foot dedicated right-of-way.

b. SAN ANTONIO Rd widened to complete a A-1 section fronting the property.

c. _____ constructed to a _____ section from the property to _____ (minimum paved width to be _____ feet).

☒ The applicant offer for dedication to the public by certificate on the map or by separate document:

a. For future road improvement _____ feet along _____ to be described as _____ feet from the recorded centerline.

b. For future road improvement 25 feet along PASADENA Rd to be described as SOUTHWESTERLY 25' of PAR 2

c. For road widening purposes 5 feet along SAN ANTONIO Rd, to be described as 25 feet from the recorded centerline.

d. The _____ foot road easement as shown on the tentative parcel map with a _____ foot radius property line return at the intersection of _____.

e. A _____ foot radius property line return at the intersection of _____.

f. The _____ foot road easement terminating in a county cul-de-sac as shown on the tentative map.

- ☐ The intersection of _____ and _____ be designed in accordance with California Highway Design Manual. 4-23
- ☐ Access be denied to lots _____ from _____ and that this be by certificate and designation on the map.
- ☐ The future alignment of _____ shall be shown on the map as reserved for future public right-of-way.
- ☒ A private easement be reserved on the map for access to lots 2.
- ☐ A practical plan and profile for access to lots _____ be submitted to the Department of Public Works and the Department of Planning and Building for approval.
- ☐ All grading shall be done in accordance with Appendix 33 of the Uniform Building Code. All lot lines shall be considered as Site Area Boundaries with slopes setback accordingly.

Improvement Plans

- ☒ IF ROAD WIDENING IS REQUIRED
Improvement plans shall be prepared in accordance with San Luis Obispo County Improvement Standards and Specifications by a Registered Civil Engineer and submitted to the Department of Public Works and the county Health Department for approval. The plan is to include:
- a. Street plan and profile.
 - b. Drainage ditches, culverts, and other structures (if drainage calculations require).
 - c. Water plan (County Health).
 - d. Sewer plan (County Health).
 - e. Grading and erosion control plan for subdivision related improvement locations.
 - f. Public utility plan, showing all existing utilities and installation of all utilities to serve every lot.
 - g. Tree removal/retention plan for trees to be removed and retained associated with the required improvement for the land division to be approved jointly with the Department of Planning and Building.
 - h. Trail plan, to be approved jointly with the Park Division.
- ☒ The applicant shall enter into an agreement with the county for the cost of checking the map, the improvement plans if any, and the cost of inspection of any such improvements by the county or its designated representative. The applicant shall also provide the county with an Engineer of Work Agreement retaining a Registered Civil Engineer to furnish construction phase services, Record Drawings and to certify the final product to the Department of Public Works.
- ☒ The Registered Civil Engineer, upon completion of the improvements, must certify to the Department of Public Works that the improvements are made in accordance with all conditions of approval, including any related land use permit conditions and the approved improvement plans. All public improvements shall be completed prior to occupancy of any new structure.
- ☐ If environmental permits from the Army Corps of Engineers or the California Department of Fish and Game are required for any public improvements that are to be maintained by the County, the applicant or his engineer, prior to the approval of the plans by the Department of Public Works shall:
- a. Submit a copy of all such permits to the Department of Public Works OR
 - b. Document that the regulatory agencies have determined that said permit is not longer required.

Drainage

4-24

- ☐ _____ is not capable of carrying additional runoff. Construct off-site drainage facilities for an adequate outlet, or provide evidence of adequate drainage easements.
- ☐ The existing drainage swale(s) to be contained in drainage easement(s) dedicated on the map.
- ☒ Submit complete drainage calculations to the Department of Public Works for review and approval.
- ☒ If calculations so indicate, drainage must be **retained/detained** in a drainage basin on the property. The design of the basin to be approved by the Department of Public Works, in accordance with county standards.
- ☒ If a drainage basin is required, the drainage basin along with rights of ingress and egress be:
 - a. granted to the public in fee free of any encumbrance.
 - ☒ b. offered for dedication to the public by certificate on the map with an additional easement reserved in favor of the owners and assigns.
 - c. reserved as a drainage easement in favor of the owners and assigns.
- ☐ If a drainage basin is required, a zone of benefit be formed within _____ for maintenance of the drainage basin. Application to be filed with the The Department of Public Works Administrator.
- ☐ If a drainage basin is required, this development be annexed to _____ for maintenance of the drainage basin. Evidence of acceptance to be filed with the Department of Public Works.
- ☐ The project shall comply with the requirements of the National Pollutant Discharge Elimination System Phase I and/or Phase II storm water program.

Wastewater Disposal

- ☐ Prior to the filing of the final parcel or tract map, the applicant shall submit to and be jointly approved by the county Department of Planning and Building and Health Department, results of percolation tests and the log or logs of soil borings performed by a registered civil engineer. For this purpose, the applicant shall perform one or more soil borings to be a minimum depth of ten (10) feet in the area of the appropriate area of the proposed sewage disposal system to determine the: a) subsurface soil conditions, (example: impermeable strata which act as barriers to the effective percolation of sewage); b) presence of groundwater; c) separation between sewage disposal saturation areas and groundwater; d) borings shall be as deep as necessary below the proposed on-site disposal area to assure required separation. The applicant must perform a minimum of three (3) percolation test holes, to be spaced uniformly in the area of the proposed sewage disposal system. (Parcel(s) _____, only).
- ☐ A community septic system shall be installed with a centralized leaching area and shall have a 100% or greater additional expansion area. The area for the community septic tank system and disposal area shall **be granted in fee on the map to the appropriate maintenance agency for maintenance with the right of ingress and egress / shall be kept as open space within easement for sewage treatment purposes granted to a homeowner's association.** Impervious paving over a disposal area is not considered acceptable.

4-25

- ☐ A long term community septic tank and disposal area maintenance plan be submitted to the the Department of Public Works and Health Department and the Regional Water Quality Control Board for review prior to the filing of the final parcel or tract map.
- ☐ The community sewage system shall be designed by a Registered Civil Engineer and operated in accordance with county, state, federal and maintenance entity laws, standards and requirements. A waste discharge permit, if required, shall be issued by the Central Coast State Regional Water Quality Control Board prior to the filing of the final parcel or tract map.
- ☐ This land division shall be annexed to _____ prior to the filing of the final parcel or tract map for **water service/water and sewer service/sewer maintenance/community septic system maintenance/**_____.

Soils Report

- ☐ A final soils report by a Registered Civil Engineer be submitted for review prior to the final inspection of the improvements.
- ☐ Three (3) copies of a Preliminary Soils Report prepared by a Registered Civil Engineer in accordance with Sections 17953, 17954, 17955 of the California Health and Safety Code shall be submitted to the Public Works, Health and Planning and Building Departments prior to the filing of the final parcel or tract map. The date and person who prepared the report are to be noted on the map.

Utilities

- ☒ Electric and telephone lines shall be installed **underground** ~~overhead~~.
- ☒ Cable T.V. conduits shall be installed in the street.
- ☒ Gas lines shall be installed.
- ☐ A _____ feet public utility easement on private property along _____, plus those additional easements required by the utility company, be shown on the final parcel or tract map.

Design

- ☐ The lots shall be numbered in sequence.
- ☐ The _____ on lot _____ be removed or brought into conformance with the **Land Use Ordinance / Coastal Zone Land Use Ordinance** prior to filing the final parcel or tract map. A demolition permit may be required.
- ☐ The lot area of _____ shall contain a minimum area of _____ exclusive of area shown for rights of way and any easement that limits the surface use for building construction (Section 22/23.04.021).

- 4-26
- ☐ The applicant shall apply to the Department of Planning and Building for approval of new street names prior to the filing of the final parcel or tract map. Approved street names shall be shown on the final parcel or tract map.

Vector Control and Solid Waste

- ☐ A determination of method of pick-up shall be specified by the waste handler and if centralized facilities for the pick-up are required, provisions shall be made within the project for central facilities that meet **Land Use Ordinance / Coastal Zone Land Use Ordinance** requirements for trash enclosures. If centralized facilities are established, this shall include provisions for recycling if service is available or subsequent installation of such facilities if recycling service becomes available in the future.

Fire Protection

- ☐ Provide minimum fire flow of _____ gallons per minute as per nationally recognized standard. Fire flows to be maintained for a minimum two-hour duration.
- ☐ The applicant shall obtain a fire safety clearance letter from the California Department of Forestry (CDF)/County Fire Department establishing fire safety requirements prior to filing the final parcel or tract map.
- ☐ Designate a fire lane within all the driveway areas. This lane to be minimum width of twenty (20) feet. *(USE FOR MULTI-FAMILY/COMMERCIAL PROJECTS ONLY)*

Parks and Recreation (Quimby) Fees

- ☐ Unless exempted by Chapter 21.09 of the county Real Property Division Ordinance or California Government Code section 66477, prior to filing of the final parcel or tract map, the applicant shall pay the in-lieu" fee that will be used for community park and recreational purposes as required by Chapter 21.09. The fee shall be based on the total **number of new parcels or remainder parcels shown on the map that do not already have legal residential units on them / or the number of dwelling units proposed in the case of a condominium, stock cooperative, or community apartment project.**
- ☐ For subdivisions of less than five parcels that are not to be used for residential purposes, if a building permit is requested for construction of a residential structure or structures on one or more of the parcels created by this subdivision within four years of recordation of the map, the Quimby Ordinance fee specified in the county fee schedule shall be paid by the owner of each parcel as a condition for the issuance of such permit.

Affordable Housing Fee

- ☐ Prior to filing the final parcel or tract map, the applicant shall pay an affordable housing in-lieu fee of 3.5 percent of the adopted public facility fee effective at the time of recording for each residential lot. This fee shall not be applicable to any official recognized affordable housing included within the residential project.

Easements

4-27

- ☐ The property owner shall grant an avigation easement to the county of San Luis Obispo. The avigation easement document shall be prepared, reviewed and approved by County Counsel prior to filing of the final parcel or tract map.
- ☐ An open space easement be recorded for the open space parcel(s). It is to be held ***in single ownership / in common by the Homeowner's Association / or transferred to a public trust or conservancy agency approved by the Department of Planning and Building***. The open space parcel is to be maintained as such in perpetuity.

Landscape Plans

- ☐ ***If a drainage basin*** is required, then submit detailed landscaping plans in compliance with Section 22/23.04.180 et seq. to the Department of Planning and Building for review and approval prior to filing of the final parcel or tract map. Said plans to include location, species, size, and method of maintenance of all proposed plant materials. All proposed plant materials shall be of a drought tolerant variety and be sized to provide a mature appearance within three years of installation. Plan to include:
 - a. Drainage basin fencing. (*ONLY USE IF THE DRAINAGE BASIN HAS A DEPTH OF 2 FEET OR GREATER AS MEASURED FROM THE TOP OF THE RIM TO THE LOWEST PORTION OF THE BASIN*)
 - b. Drainage basin perimeter landscape screening. (*ONLY USE FOR FENCED BASINS*)
 - c. Landscaping for erosion control.
- ☐ All approved landscaping shall be installed or bonded for prior to filing of the final parcel or tract map and thereafter maintained in a viable condition on a continuing basis. If bonded for, landscaping shall be installed within _____ days of completion of the improvements.

Mitigations PUT ANY MITIGATIONS FROM DEVELOPER STATEMENT HERE **ONLY IF THEY CAN BE COMPLETED PRIOR TO THE RECORDATION OF THE MAP**

- ☐ _____
- ☐ _____

Additional Map Sheet

- ☐ The applicant shall prepare an additional map sheet to be approved by the county Department of Planning and Building and the Department of Public Works. The additional map sheet shall be recorded with the final parcel or tract map. The additional map sheet shall include the following:

CHOOSE APPLICABLE PROVISIONS

- a. That the owner(s) of lot(s) _____ is responsible for on-going maintenance of drainage basin fencing in perpetuity.
- b. That the owner(s) of lot(s) _____ is responsible for on-going maintenance of ***drainage basin / adjacent*** landscaping in a viable condition on a continuing basis into perpetuity.
- c. That secondary dwellings shall not be allowed on ***all lots within the land division / on lots*** _____.

- 4-28
- d. Designated building sites (and access drives) shall be shown on the additional map sheet reflecting the approved tentative map. **At the time of application for construction permits**, the applicant shall clearly delineate the approved building site and access drive on the project plans.
- e. Notification to prospective buyers of the county's Right to Farm Ordinance currently in effect at any time said deed(s) are recorded.
- f. Notification of the consequences of existing and potential intensive agricultural operations on adjacent parcels including but not limited to noise, dust, odor and agricultural chemicals.
- g. An agricultural buffer prohibiting residential structures, consisting of _____ feet over lots _____, shall be shown on the additional map sheet. This buffer shall become null and void on individual parcels within this subdivision, if the adjacent Agriculture land use category is changed or if any existing commercial agricultural business on adjacent parcels effecting this subdivision cease operation for a minimum of one year. **At the time of application for construction permits**, the applicant shall clearly delineate the agricultural buffer on the project plans.
- h. The limits of inundation from a 100 year storm over lots _____ from _____ **creek / river** shall be shown on the additional map and note the required building restriction in the on the sheet.
- i. If improvements are bonded for, all public improvements (roads, drainage, and utilities) shall be completed prior to occupancy of any new structure.
- j. A notice that no construction permits will be given a final inspection until the fire safety conditions established in the letter dated _____ from the California Department of Forestry (CDF)/County Fire Department are completed. **Prior to occupancy or final inspection**, which ever occurs first, the applicant shall obtain final inspection approval of all required fire/life safety measures.
- k. Note to potential buyers and future owners of the property that the project is in an area from which combustion and petroleum-type odor complaints are frequently received by the Air Pollution Control District. The District Hearing Board has issued a nuisance abatement order which should improve the air quality in the Nipomo area; however, clean up is a lengthy process, therefore buyers of new lots should be advised that these conditions exist. *(ONLY USE IF WITHIN SOUTH COUNTY PLANNING AREA OR NEAR THE PLANT IN THE SAN LUIS BAY PLANNING AREA)*
- l. In the event archaeological resources are unearthed or discovered during any construction activities, the following standards apply:
- A. Construction activities shall cease, and the Environmental Coordinator and Planning Department shall be notified so that the extent and location of discovered materials may be recorded by a qualified archaeologist, and disposition of artifacts may be accomplished in accordance with state and federal law.
- B. In the event archaeological resources are found to include human remains, or in any other case where human remains are discovered during construction, the County Coroner is to be notified in addition to the Planning Department and Environmental Coordinator so that proper disposition may be accomplished.
- m. PUT ANY MITIGATIONS FROM DEVELOPER'S STATEMENT HERE **ONLY IF THEY GO BEYOND RECORDATION OF THE MAP** _____
- _____
- _____

Covenants, Conditions and Restrictions

4-29

- ☐ The developer shall submit proposed covenants, conditions, and restrictions for the subdivision to the county Department of Planning and Building for review and approval. The CC&R's shall provide at a minimum the following provisions:

CHOOSE APPLICABLE PROVISIONS

- a. On-going maintenance of drainage basin fencing in perpetuity.
- b. On-going maintenance of **drainage basin / adjacent** landscaping in a viable condition on a continuing basis into perpetuity.
- b. Maintenance of drainage basin landscaping.
- c. Maintenance of common areas.
- d. Secondary dwellings shall not be allowed.
- e. Designated building sites (and access drives) shall be shown on an exhibit attached to the CC&R's reflecting the approved tentative map.
- f. Notification to prospective buyers of the county's Right to Farm Ordinance currently in effect at any time said deed(s) are recorded.
- g. Notification of the consequences of existing and potential intensive agricultural operations on adjacent parcels including but not limited to noise, dust, odor and agricultural chemicals.
- h. An agricultural buffer prohibiting residential structures, consisting of _____ feet over lots _____, shall be shown on an exhibit attached to the CC&R's. This buffer shall become null and void on individual parcels within this subdivision, if the adjacent Agriculture land use category is changed or if any existing commercial agricultural business on adjacent parcels effecting this subdivision cease operation for a minimum of one year.
- i. Maintenance of all local streets within the subdivision until acceptance by a public agency.
- j. The limits of inundation from a 100 year storm over lots _____ from _____ **creek / river** shall be shown on an exhibit attached to the CC&R's and note the required building restriction in the in the CC&R's.
- k. Note to potential buyers and future owners of the property that the project is in an area from which combustion and petroleum-type odor complaints are frequently received by the Air Pollution Control District. The District Hearing Board has issued a nuisance abatement order which should improve the air quality in the Nipomo area; however, clean up is a lengthy process, therefore buyers of new lots should be advised that these conditions exist. *(ONLY USE IF WITHIN SOUTH COUNTY PLANNING AREA OR NEAR THE PLANT IN THE SAN LUIS BAY PLANNING AREA)*
- l. _____

Low Cost Housing (USE IN COASTAL ZONE ONLY)

- ☐ Provide _____ residential units for low and moderate income families as defined by Section 50093 of the Health and Safety Code as part of the proposed project or elsewhere in the community. The agreement with the county for the development will include acknowledgment that it is feasible to provide a level of affordable housing in conjunction with this project. If qualified buyers have not purchased any of the _____ units within six months of the units being available for sale, and evidence can be provided that shows a reasonable advertising campaign was used to attract qualified buyers, the applicant may be relieved from the requirements to sell the units to qualified buyers.

Miscellaneous

4-30



This subdivision is also subject to the standard conditions of approval for all subdivisions using **community water and sewer / community water and septic tanks / individual wells and septic tanks**, a copy of which is attached hereto and incorporated by reference herein as though set forth in full.

- ☐ A stormwater pollution plan may be necessary from the Regional Water Quality Control Board. Provide evidence that it has been obtained or is unnecessary prior to filing the map.
- ☐ Applicant shall file with the Department of Public Works an application requesting apportionment of any unpaid assessments under the Improvement Bond Act of 1915, in compliance with Section 8740.1 of the Streets and Highways Code of the State of California. Said apportionment must be completed prior to filing the map.
- ☐ Prior to the sale of the designated remainder or omitted parcel, if applicable, the applicant shall obtain approval of a certificate of compliance or conditional certificate of compliance from the county.
- ☐ All timeframes on approved tentative maps for filing of final parcel or tract maps are measured from the date the Review Authority approves the tentative map, not from any date of possible reconsideration action.

RECEIVED
NOV 05 2004
Planning & Bldg



CDF/San Luis Obispo County Fire Department

635 N. Santa Rosa • San Luis Obispo • California 93405

November 3, 2004

North County Team
County of San Luis Obispo
Department of Planning and Building
County Government Center
San Luis Obispo, CA 93408

Subject: Parcel Map Project # SUB 2004-00121, CO 04-0515

Dear North County Team,

I have reviewed the referral for the parcel map plans for the proposed two parcel subdivision project located at 14200 San Antonio Road, Atascadero, CA 93422. This project is located approximately 10 to 15 minutes from the closest CDF/San Luis Obispo County Fire Station. The project is located in State Responsibility Area for wildland fires.

It is designated a High Fire Severity Zone. This project is required to comply with all fire safety rules and regulations including the California Fire Code, the Public Resources Code and any standards referenced therein.

The following conditions will apply to this project:

Access Road

An access road must be constructed to CDF/County Fire standards when it serves more than one parcel; access to any industrial or commercial occupancy, or vehicular access to a single parcel with more than two buildings or four or more dwelling units.

- The maximum length of a dead end road, including all dead-end roads accessed from that dead-end road, shall not exceed the following cumulative lengths, regardless of the number of parcels served:

○ Parcels less than 1 acres	800 feet
○ Parcels 1 acre to 4.99 acres	1320 feet
○ Parcels 5 acres to 19.99 acres	2640 feet
○ Parcels 20 acres or larger	5280 feet
- The road must be 18 feet in width and an all weather surface.
- If the road exceeds 12% it must have a non-skid paved surface.

- Roads may not exceed 16% without special mitigation and shall not exceed 20%.
- All roads must be able to support a 20 ton fire engine.
- Road must be named and addressed including existing buildings.
- A turnaround must be provided if the road exceeds 150 feet.
- Vertical clearance of 13'6" is required.

Driveway

A driveway is permitted when it serves no more than two buildings, with no more than 3 dwelling units or a single parcel, and any number of accessory buildings.

- Driveway width for high and very high fire severity zones:
 - 0-49 feet, 10 feet is required
 - 50-199 feet, 12 feet is required
 - Greater than 200 feet, 16 feet is required
- Turnarounds must be provided if driveway exceeds 300 feet.

Water Supply

The following applies:

☒ This project will require a community water system which meets the minimum requirements of the Appendix III-A & III-B of the California Fire Code.

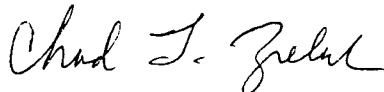
☐ A water storage tank with a capacity determined by a factor of the cubic footage of the structure will be required to serve each existing and proposed structure. A residential fire connection must be located within 50 to 150 feet of the buildings.

Fuel Modification

- Vegetation must be cleared 10 feet on each side of the driveways and access road.
- Maintain around all structures a 30 foot firebreak. This does not include fire resistive landscaping.
- Remove any part of a tree that is within 10 feet of a chimney.
- Maintain any tree adjacent to or overhanging any building free of deadwood.
- Maintain the roof of any structure free of leaves, needles or other flammable material.

If I can provide additional information or assistance, please call 543-4244.

Sincerely,



Chad T. Zrelak

cc: Kelling

**RECEIVED**
OCT 18 2004
Planning & Bldg

DATE: October 14, 2004

TO: North County Team
County Department of Planning and Building

FROM: Jan Downs Vidalin *JDV*
San Luis Obispo County Air Pollution Control District

SUBJECT: Kelling Parcel Map, 14200 San Antonio Rd., Atascadero, (SUB2004-00121)

Thank you for including the APCD in the environmental review process. We have completed our review of the proposed project located at 14200 San Antonio Rd. in Atascadero. The project calls for a Parcel Map consisting of a two-way lot split of equal parcel size, 2.43 acres each. The location has two existing structures on 4.86 acres and seeks to acquire a transfer development credit (TDC) in order to subdivide the property below the Planning Area Standard minimum parcel size of 2.5 acres. The project is located within five miles of the Urban Reserve Line (URL), and is zoned Residential Suburban (RS). The following are APCD comments that are pertinent to this project.

GENERAL COMMENTS:

This project, like so many others, falls below our emissions significance thresholds and is, therefore, unlikely to trigger a finding of significant air quality impacts requiring mitigation. However, we are very concerned with the cumulative effects resulting from the ongoing fracturing of rural land and increasing residential development in areas far removed from commercial services and employment centers. Such development fosters continued dependency of private auto use as the only viable means of access to essential services and other destinations. This is inconsistent with the land use planning strategies recommended in the Clean Air Plan (CAP), which promote the concept of compact development by directing growth to areas within existing urban and village reserve lines. The CAP recommends that areas outside the urban/village reserve lines be retained as open space, agriculture and very low-density residential development

The District understands that under the County's Land Use Ordinance parcels, within the Residential Suburban category, can be subdivided to a minimum lot size of one acre unless there is a Planning Area Standard restriction as is the case for this project. We also recognize that there are significant human-interest issues that are difficult to overcome, such as the desire of some applicants to settle estate matters through property splits. However, we believe it is important to emphasize to decision makers that subdivision and future development on these, and similar rural parcels throughout the county allows a pattern of development to continue that is

ultimately unsustainable. Such development cumulatively contributes to existing stresses on air quality, circulation and other natural and physical resources and infrastructure that cannot be easily mitigated. We do not support this type of development.

The proposed project includes the use of one Transfer Development Credit (TDC). However, in this case the receiver site of the TDC is outside of the Urban Reserve Line (URL), which would promote further growth in areas outside the URL. This is contrary to the intent of the TDC Program which is to increase the density in the urban areas.

Should this project continue to move forward against our recommendation, we would like to be included in the review of future development proposals for the property. As a commenting agency in the California Environmental Quality Act (CEQA) review process for a project, the APCD assesses air pollution impacts from both the construction and operational phases of a project, with separate significant thresholds for each. **Please address the action items contained in this letter that are highlighted by bold and underlined text.**

CONSTRUCTION PHASE EMISSIONS:

Dust Control Measures

The project as described in the referral will not likely exceed the APCD's CEQA significance threshold for construction phase emissions. However, construction activities can generate fugitive dust, which could be a nuisance to local residents and businesses in close proximity to the proposed construction site. Dust complaints could result in a violation of the District's 402 "Nuisance" Rule. **APCD staff recommend the following measures be incorporated into the project to control dust:**

- Reduce the amount of the disturbed area where possible.
- Use water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible.
- All dirt stock-pile areas should be sprayed daily as needed.
- All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible.
- Building pads should be laid as soon as possible after grading unless seeding or soil binders are used.

Demolition Activities

The project referral did not indicate whether the existing structures on the proposed site will be demolished. Demolition activities can have potential negative air quality impacts, including issues surrounding proper handling, demolition, and disposal of asbestos containing material (ACM). Asbestos containing materials could be encountered during demolition or remodeling of

existing buildings. Asbestos can also be found in utility pipes/pipelines (transite pipes or insulation on pipes). **If utility pipelines are scheduled for removal or relocation; or building(s) are removed or renovated this project may be subject to various regulatory jurisdictions, including the requirements stipulated in the National Emission Standard for Hazardous Air Pollutants (40CFR61, Subpart M - asbestos NESHAP).** These requirements include but are not limited to: 1) notification requirements to the District, 2) asbestos survey conducted by a Certified Asbestos Inspector, and, 3) applicable removal and disposal requirements of identified ACM. Please contact Tim Fuhs of the Enforcement Division at 781-5912 for further information.

Naturally Occurring Asbestos

The project site is located in a candidate area for Naturally Occurring Asbestos (NOA), which has been identified as a toxic air contaminant by the California Air Resources Board (ARB). Under the ARB Air Toxics Control Measure (ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations, **prior to any grading activities at the site, the project proponent shall ensure that a geologic evaluation is conducted to determine if NOA is present within the area that will be disturbed. If NOA is not present, an exemption request must be filed with the District (see Attachment 1). If NOA is found at the site the applicant must comply with all requirements outlined in the Asbestos ATCM.** This may include development of an Asbestos Dust Mitigation Plan and an Asbestos Health and Safety Program for approval by the APCD. Please refer to the APCD web page at <http://www.slocleanair.org/business/asbestos.asp> for more information or contact Karen Brooks of our Enforcement Division at 781-5912.

OPERATIONAL PHASE EMISSIONS:

The project as described in the referral will not likely exceed the APCD's CEQA significance threshold for operational phase emissions. However, if wood burning devices are installed, District Rule 504 will apply to this project.

Residential Wood Combustion

Under APCD Rule 504, only APCD approved wood burning devices can be installed in new dwelling units. These devices include:

- All EPA-Certified Phase II wood burning devices;
- Catalytic wood burning devices which emit less than or equal to 4.1 grams per hour of particulate matter which are not EPA-Certified but have been verified by a nationally-recognized testing lab;
- Non-catalytic wood burning devices which emit less than or equal to 7.5 grams per hour of particulate matter which are not EPA-Certified but have been verified by a nationally-recognized testing lab;
- Pellet-fueled woodheaters; and
- Dedicated gas-fired fireplaces.

Kelling Parcel Map
October 14, 2004
Page 4 of 4

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If you have any questions about approved wood burning devices, please contact Tim Fuhs of our Enforcement Division at 781-5912.

Again, thank you for the opportunity to comment on this proposal. If you have any questions or comments, or if you would like to receive an electronic version of this letter, feel free to contact me at 781-5912.

JDV/AAG/sll

cc: Karen Brooks, APCD Enforcement Division
Tim Fuhs, APCD Enforcement Division

Attachments: Attachment 1: Naturally Occurring Asbestos Construction & Grading Project –
Exemption Request Form

h:\oislplan\response\2936.doc



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COUNTY OF SAN LUIS OBISPO

FOR OFFICIAL USE ONLY (EK)

MITIGATED NEGATIVE DECLARATION & NOTICE OF DETERMINATION**ENVIRONMENTAL DETERMINATION NO. ED04-273****DATE: August 18, 2005****PROJECT/ENTITLEMENT:** Kelling Parcel Map & TDC Receiver Site SUB2004-00121**APPLICANT NAME:** Cheryl and Roger Kelling**ADDRESS:** 3975 Arena Road, Atascadero, CA, 93422**CONTACT PERSON:** Same as applicant**Telephone:** (805) 461-3059

PROPOSED USES/INTENT: Request to subdivide an existing 4.86-acre parcel into two parcels of approximately 2.43 acres each for the purpose of sale and/or development and allow the parcel to be designated a Transfer of Development Credit (TDC) Receiver site.

LOCATION: At 14200 San Antonio Road (south side), approximately 0.5 mile south of Santa Barbara Road, in the southern portion of Atascadero. The site is in the Residential Suburban land use category within the Salinas River planning area.

LEAD AGENCY: County of San Luis Obispo Department of Planning & Building
County Government Center, Rm. 310
San Luis Obispo, CA 93408-2040

OTHER POTENTIAL PERMITTING AGENCIES: Army Corps of Engineers, Regional Water Quality Control Board

ADDITIONAL INFORMATION: Additional information pertaining to this environmental determination may be obtained by contacting the above Lead Agency address or (805) 781-5600.

COUNTY "REQUEST FOR REVIEW" PERIOD ENDS AT 5 p.m. on

30-DAY PUBLIC REVIEW PERIOD begins at the time of public notification

Notice of Determination**State Clearinghouse No. _____**

This is to advise that the San Luis Obispo County _____ as ☐ *Lead Agency*
☐ *Responsible Agency* approved/denied the above described project on _____, and has made the following determinations regarding the above described project:

The project will not have a significant effect on the environment. A Negative Declaration was prepared for this project pursuant to the provisions of CEQA. Mitigation measures were made a condition of the approval of the project. A Statement of Overriding Considerations was not adopted for this project. Findings were made pursuant to the provisions of CEQA.

This is to certify that the Negative Declaration with comments and responses and record of project approval is available to the General Public at:

Department of Planning and Building, County of San Luis Obispo,
County Government Center, Room 310, San Luis Obispo, CA 93408-2040

Elizabeth Kavanaugh

County of San Luis Obispo

Signature**Project Manager Name****Date****Public Agency**



San Luis Obispo County
Department of Planning and Building
environmental division

ENVIRONMENTAL DOCUMENT FILING FEE FORM

NOTICE: During environmental review, this project required consultation, review or development of mitigation measures by the California Department of Fish and Game. Therefore, the applicants will be assessed user fees pursuant to section 711.4 of the California Fish and Game Code.. The California Environmental Quality Act (Section 21089) provides that this project is not operative, vested or final until the filing fees are paid.

Lead Agency: County of San Luis Obispo

Date: _____

County: San Luis Obispo

Project No. SUB2004-00121

Project Title: Kelling Parcel Map

Project Applicant

Name: Cheryl and Roger Kelling

Address: 3975 Arena Road

City, State, Zip Code: Atascadero, CA 93422

Telephone #: (805)461-3059

Please remit the following amount to the **County Clerk-Recorder**:

() Environmental Impact Report	\$ 850.00
(X) Negative Declaration	\$ 1250.00
() County Clerk's Fee	\$ 25.00
Total amount due:	\$1,250.00

AMOUNT ENCLOSED: _____

Checks should be made out to the "County of San Luis Obispo". Payment must be received by the County Clerk, 1144 Monterey Street, Suite A, San Luis Obispo, CA 93408-2040, within two days of project approval.

NOTE: Filing of the Notice of Determination for the attached environmental document requires a filing fee in the amount specified above. If the fee is not paid, the Notice of Determination cannot be filed.



**COUNTY OF SAN LUIS OBISPO
INITIAL STUDY SUMMARY - ENVIRONMENTAL CHECKLIST**

Project Title & No. Kelling Parcel Map & TDC Receiver Site ED04-273; SUB2004-00121

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED: The proposed project could have a "Potentially Significant Impact" for at least one of the environmental factors checked below. Please refer to the attached pages for discussion on mitigation measures or project revisions to either reduce these impacts to less than significant levels or require further study.

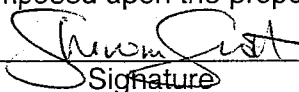
<input type="checkbox"/> Aesthetics	<input type="checkbox"/> Geology and Soils	<input checked="" type="checkbox"/> Recreation
<input type="checkbox"/> Agricultural Resources	<input type="checkbox"/> Hazards/Hazardous Materials	<input type="checkbox"/> Transportation/Circulation
<input checked="" type="checkbox"/> Air Quality	<input type="checkbox"/> Noise	<input type="checkbox"/> Wastewater
<input checked="" type="checkbox"/> Biological Resources	<input type="checkbox"/> Population/Housing	<input type="checkbox"/> Water
<input type="checkbox"/> Cultural Resources	<input checked="" type="checkbox"/> Public Services/Utilities	<input type="checkbox"/> Land Use

DETERMINATION: (To be completed by the Lead Agency)

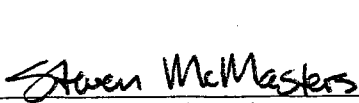
On the basis of this initial evaluation, the Environmental Coordinator finds that:

- ☐ The proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ The proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ The proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ Although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Morro Group, Inc.
Prepared by (Print)


Signature

08/08/05
Date


Reviewed by (Print)


Signature

Ellen Carroll,
Environmental Coordinator
(for)
Date

Project Environmental Analysis

The County's environmental review process incorporates all of the requirements for completing the Initial Study as required by the California Environmental Quality Act (CEQA) and the CEQA Guidelines. The Initial Study includes staff's on-site inspection of the project site and surroundings and a detailed review of the information in the file for the project. In addition, available background information is reviewed for each project. Relevant information regarding soil types and characteristics, geologic information, significant vegetation and/or wildlife resources, water availability, wastewater disposal services, existing land uses and surrounding land use categories and other information relevant to the environmental review process are evaluated for each project. Exhibit A includes the references used, as well as the agencies or groups that were contacted as a part of the Initial Study. The Environmental Division uses the checklist to summarize the results of the research accomplished during the initial environmental review of the project.

Persons, agencies or organizations interested in obtaining more information regarding the environmental review process for a project should contact the County of San Luis Obispo Environmental Division, Rm. 310, County Government Center, San Luis Obispo, CA, 93408-2040 or call (805) 781-5600.

A. PROJECT

DESCRIPTION: Request by Cheryl and Roger Kelling for a Parcel Map to subdivide an existing 4.86-acre parcel into two parcels of approximately 2.43 acres each for the purpose of sale and/or development and allow the parcel to be designated a Transfer of Development Credit (TDC) Receiver site. A single-family residence and garage are located on proposed Parcel 1. Proposed Parcel 2 is undeveloped. The proposed project is located within the Residential Suburban land use category on the south side of San Antonio Road (14200 San Antonio Road), approximately 0.5 mile south of Santa Barbara Road, in the southern portion of Atascadero. The site is within the Salinas River planning area.

ASSESSOR PARCEL NUMBER(S): 059-141-014

SUPERVISORIAL DISTRICT # 5

B. EXISTING SETTING

PLANNING AREA: Salinas River

LAND USE CATEGORY: Residential Suburban

COMBINING DESIGNATION(S): None applicable

EXISTING USES: Single-family residence, garage, horse pasture

TOPOGRAPHY: Nearly level to gently sloping

VEGETATION: Grasses, valley oak, landscape trees

PARCEL SIZE: 4.86 acres

SURROUNDING LAND USE CATEGORIES AND USES:

<i>North:</i> Residential Suburban; Single-family residences	<i>East:</i> Residential Suburban; Single-family residence, horse pasture
<i>South:</i> Residential Suburban; Single-family residence	<i>West:</i> Residential Suburban; Single-family residence

C. ENVIRONMENTAL ANALYSIS

During the Initial Study process, several issues were identified as having potentially significant environmental effects (see following Initial Study). Those potentially significant items associated with the proposed uses can be minimized to less than significant levels.

**COUNTY OF SAN LUIS OBISPO
INITIAL STUDY CHECKLIST**

1.	AESTHETICS - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a)	<i>Create an aesthetically incompatible site open to public view?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	<i>Introduce a use within a scenic view open to public view?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	<i>Change the visual character of an area?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	<i>Create glare or night lighting, which may affect surrounding areas?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e)	<i>Impact unique geological or physical features?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f)	<i>Other: _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact. The proposed project site consists of a 4.86-acre parcel located on the south side of San Antonio Road (14200 San Antonio Road), approximately .75 mile south of the Santa Barbara Road exit from Highway 101, in the Salinas River (Rural) planning area (refer to Figures 1 through 3). Existing development is located entirely within proposed Parcel 1 and includes a single-family residence, detached garage, and associated landscaped and disturbed areas. The project parcel and surrounding area is characterized by gently sloping topography vegetated with grassland and scattered oak woodland, developed with single-family residences located on approximately 2.51 to 5.92-acre lots. Secondary land uses include horse pastures and cattle grazing. The project site and surrounding similarly developed parcels are visible from San Antonio Road, a two-lane local road used primarily by residents and landowners in the area.

The applicant is proposing to subdivide the project site into two parcels, approximately 2.43 acres in size each for the purpose of sale and/or development (refer to Figures 4 and 5). The TDC designation would allow for a slightly higher development density on the parcel than otherwise allowed, while still preserving the rural character of the area by reducing conversion pressure on adjacent agricultural lands. A 20-foot private access easement is proposed for Parcel 2 along the western property boundary, a 30-foot offer of dedication is located along the southern property boundary for the future construction of Pasadena Road extension, and a 5-foot offer of dedication is located along the northern property boundary for future widening of San Antonio Road. Future development of a single-family residence on the project site would not significantly change the visual character of the area and no visual impacts are anticipated.

Mitigation/Conclusion. No significant visual impacts would occur as a result of the proposed parcel map, and no mitigation is required.

2. AGRICULTURAL RESOURCES*- Will the project:*

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Convert prime agricultural land to non-agricultural use?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Impair agricultural use of other property or result in conversion to other uses?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Conflict with existing zoning or Williamson Act program?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact. The proposed project site is located in the Residential Suburban land use category. The soil types on the project site for "non-irrigated" and "irrigated" soil, as described in the Natural Resource Conservation Service (NRCS) Soil Survey, are Conception sandy loam, Still clay loam, and San Andreas-Arujo sandy loams (non-irr: Class IV, irr: Class II to IV). Surrounding land uses consist of residential development with secondary uses including horse pastures and cattle grazing. A portion of proposed Parcel 1 is currently used as a horse pasture. The proposed project includes zoning of the property as a Transfer of Density Credit (TDC) receiver site, which would allow a higher development density on the parcel than what would otherwise be allowed under the Residential Suburban land use category in the project area, while still preserving the rural character of the area by reducing conversion pressure on nearby agricultural lands. The minimum parcel size for the south Atascadero area is established as 2.5 acres to provide open space areas for animal husbandry and preservation of the rural character.

The proposed parcel split and designation as a TDC receiver site would allow for establishment of two 2.43-acre parcels and although the proposed split parcels do not meet the minimum size requirement for the project area, the site is consistent with the goals of the TDC program. Creation of one additional parcel with one single-family residence is not anticipated to cause a significant long-term impact to continued use of the property or adjacent lands for animal husbandry or other agricultural uses due to TDC program conditions prohibiting further subdivisions and development of the parcel. The property would receive a TDC receiver site combining designation, which would prohibit further subdivision and land use category changes while allowing one residence on proposed Parcel 2. No direct impacts to adjacent agricultural lands would occur as a result of the proposed project.

Mitigation/Conclusion. The TDC receiver site designation, creation of one additional parcel, and future construction of one single-family residence would not cause direct impacts to nearby agricultural uses. The proposed parcel sizes are similar in size to surrounding parcels within the Residential Suburban land use category. Implementation of the restrictions placed on the property as a TDC receiver site and prohibition of future subdivisions and land use category changes, would reduce the conversion pressure on lands west of Highway 101. No mitigation measures are required.

3. AIR QUALITY - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Violate any state or federal ambient air quality standard, or exceed air quality emission thresholds as established by County Air Pollution Control District?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Expose any sensitive receptor to substantial air pollutant concentrations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Create or subject individuals to objectionable odors?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be inconsistent with the District's Clean Air Plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. Based on the latest air monitoring station information (per the County's RMS annual report, 2004), the trend in air quality in the general area is moderately improving, where unacceptable PM10 levels were exceeded once in 2003, which is down from 2002 (two exceedances).

The Air Pollution Control District (APCD) estimates that automobiles currently generate about 40% of the pollutants responsible for ozone formation. Nitrous oxides (NOx) and reactive organic gasses (ROG) pollutants (vehicle emission components) are common contributors towards this chemical transformation into ozone. Dust, or particulate matter less than ten microns (PM10) that become airborne and find their way into the lower atmosphere, can act as the catalyst in this chemical transformation to harmful ozone. In part, the land use controls currently in place for new development relating to ROG and NOx (i.e. application of the CEQA Air Quality Handbook) have helped reduce the formation of ozone.

Impact. Site disturbance would occur with development of proposed Parcel 2. This will result in the creation of dust, construction-related emissions, and operational emissions. Based on Table 1-1 of the CEQA Air Quality Handbook, the project will result in less than 10 lbs./day of pollutants, which is below thresholds warranting any mitigation. The proposed project was referred to the APCD for review and determination of any air quality impacts potentially resulting from the proposed project. The APCD does not support fracturing of rural lands and residential development removed from employment and commercial services. Air quality impacts from the proposed parcel split include the generation of fugitive dust, potential release of asbestos, and wood-burning device specifications (Jan Downs Vidalin; October 14, 2004).

Naturally Occurring Asbestos. Asbestos is considered a toxic air contaminant by the State Air Resources Board. If naturally occurring asbestos is present within the soil underlying the project site, future grading activities would release the asbestos into the air, resulting in a potentially significant air quality impact.

Material Asbestos. Asbestos can be encountered during the removal or relocation of utility lines.

Residential Wood Combustion. Use of wood burning devices can contribute to regional particulate pollution. Future residential construction would be required to comply with APCD Rule 504, which

identifies types and specifications for approved wood burning devices installed in new residences to minimize particulate pollution.

Fugitive Dust (PM10). Implementation of the proposed project would result in the generation of dust, potentially affecting adjacent roadways and residences, resulting in a potentially significant air quality impact.

Mitigation/Conclusion.

Asbestos. Prior to site development, the applicant is required to contact the APCD to identify requirements associated with removal or relocation of utility lines and the potential for presence of asbestos. Also, to ensure that naturally-occurring asbestos is not released into the air during future grading and site disturbance activities, the applicant is required to conduct a geologic investigation to determine if asbestos is present, or provide a waiver of these requirements from the APCD. If asbestos is present, the applicant shall comply with the *State Air Resources Board Air Toxics Control Measure (ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations*. Compliance measures may include, but are not limited to, implementation of an Asbestos Dust Mitigation Plan and an Asbestos Health and Safety Program.

Residential Wood Combustion. If future residential development includes wood burning devices, construction is required to comply with APCD Rule 504 to minimize particulate pollution.

Fugitive Dust (PM10). To minimize nuisance dust impacts, the applicant has agreed to implement APCD fugitive dust mitigation measures including the use of water trucks or sprinkler systems to water down airborne dust, revegetation of disturbed areas, limited vehicle speeds (15 miles/hour), the use of wheel washers where vehicles enter and exit unpaved roads onto streets, and the use of covers on all trucks transporting soil and material (refer to Exhibit B for a full list of mitigation measures).

4. BIOLOGICAL RESOURCES -

Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Result in a loss of unique or special status species or their habitats?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Reduce the extent, diversity or quality of native or other important vegetation?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Impact wetland or riparian habitat?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) <i>Introduce barriers to movement of resident or migratory fish or wildlife species, or factors, which could hinder the normal activities of wildlife?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting.

Sensitive Plant Species. The proposed project site is located within the vicinity of, and contains potential habitat for straight-awned spineflower (*Chorizanthe rectispina*), a California Native Plant Society (CNPS) List 1B (rare, threatened, or endangered in California and elsewhere) annual herb. Six of the twelve listed documentations of the species by the California Natural Diversity Database

(2005) are located within five miles of the subject property. This species occurs within barren sandy or gravelly soils in association with chaparral shrubs, dry woodland, or grasslands. The blooming period for this species is May through July. Althouse and Meade, Inc prepared a *Botanical Assessment* (September 2004) and follow-up spring survey (May 2005) for the project site. No sensitive plants were identified on the project site. One valley oak tree (*Quercus lobata*) is located on proposed Parcel 1, surrounded by existing developed areas and access improvements. No oak tree impacts are anticipated in associated with future access improvements and residential development of proposed Parcel 2.

Wetland/Drainage. A seasonal drainage swale traverses northwest across proposed Parcel 1 and a seasonal wetland seep is located near the southeastern corner of proposed Parcel 1, on a slope draining to the swale. Although no bed or bank is present, the drainage swale and wetland seep support wetland vegetation. No sensitive species are anticipated in association with the drainage swale or wetland seep (Althouse and Meade; May, 2005). The drainage connects to Paloma Creek, a tributary of the Salinas River, approximately 0.75 mile to the north.

Impact.

Wetland/Drainage. The private access easement for proposed Parcel 2 would require crossing the western portion of the drainage. As secondary residences are not allowed in the project area (Section 22.30.470 C.1.a.), and a residence is already located on Parcel 1, the wetland seep is not anticipated to be impacted by future residential construction. In order to identify required setbacks from the wetland seep, a wetland delineation would be required prior to site disturbance. Impacts to the existing flow rates or direction of the drainage could occur unless adequate design considerations are included in future construction plans.

Mitigation/Conclusion. Future development would be required to provide plans for construction of access and drainage improvements that do not modify the existing flow rates or direction of the drainage, such as a culvert or span bridge (refer to Exhibit B). In addition, the applicant shall contact the Army Corps of Engineers and Regional Water Quality Control Board and obtain required permits if necessary. Based on the above discussion and implementation of mitigation, impacts to biological resources would be reduced to insignificance.

5. CULTURAL RESOURCES -
Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Disturb pre-historic resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Disturb historic resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Disturb paleontological resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact. The project is located in an area historically occupied by the Obispeno Chumash. The project is not located in an area that would be considered culturally sensitive due to lack of physical features typically associated with prehistoric occupation (rock outcrops, continuous water presence). Impacts to historical or paleontological resources are not expected.

Mitigation/Conclusion. No significant cultural resource impacts are expected to occur, and no mitigation measures are necessary.

6. GEOLOGY AND SOILS -*Will the project:*

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Result in exposure to or production of unstable earth conditions, such as landslides, earthquakes, liquefaction, ground failure, land subsidence or other similar hazards?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Be within a CA Dept. of Mines & Geology Earthquake Fault Zone (formerly Alquist-Priolo)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Result in soil erosion, topographic changes, loss of topsoil or unstable soil conditions from project-related improvements, such as vegetation removal, grading, excavation, or fill?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Change rates of soil absorption, or amount or direction of surface runoff?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) <i>Include structures located on expansive soils?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Change the drainage patterns where substantial on- or off-site sedimentation/ erosion or flooding may occur?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) <i>Involve activities within the 100-year flood zone?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) <i>Be inconsistent with the goals and policies of the County's Safety Element relating to Geologic and Seismic Hazards?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) <i>Preclude the future extraction of valuable mineral resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact.

Geology. The topography of the project site is nearly level to gently sloping to the west. The area proposed for development is outside of the Geologic Study Area designation. The landslide risk potential is considered low. The liquefaction potential during a ground-shaking event is considered low to high. No active faulting is known to exist on or near the property. The project is not within a known area containing serpentine or ultramafic rock or soils. There is no evidence that measures above what will already be required by ordinance or code are needed.

Drainage. A seasonal drainage and wetland seep are located on the project site, which drain to Paloma Creek, a tributary to the Salinas River. The area proposed for development is outside the

100-year Flood Hazard designation. As described in the NRCS Soil Survey, these soils are moderately to very poorly drained. Prior to future development on the subject property, the applicant will be required to prepare a drainage plan (per County Land Use Ordinance, Sec. 22.52.080) that will be incorporated into the development to minimize potential drainage impacts. This drainage plan will need to include adequate measures, such as constructing onsite retention and detention basins, or installing surface water flow dissipaters. The drainage plan for the increased runoff from new construction will need to show that there will not be any increase in surface runoff beyond that of historic flows.

Sedimentation and Erosion. The soil types mapped for the project site include San Andreas-Arujo sandy loams, Concepcion sandy loam, and Still clay loam. As described in the NRCS Soil Survey, the soil surface is considered to have low to moderate erodibility and low to moderate shrink-swell characteristics. As discussed in Section 4, Biology, a sedimentation and erosion control plan would be prepared to reduce potential impacts to the wetland seep and drainage; therefore, no additional measures above what will already be required by ordinance or code are considered necessary.

Mitigation/Conclusion. Based on the discussion above, and compliance with standard requirements, impacts would be less than significant and no project-specific mitigation is necessary.

7. HAZARDS & HAZARDOUS MATERIALS - Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Result in a risk of explosion or release of hazardous substances (e.g. oil, pesticides, chemicals, radiation) or exposure of people to hazardous substances?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Interfere with an emergency response or evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Expose people to safety risk associated with airport flight pattern?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Increase fire hazard risk or expose people or structures to high fire hazard conditions?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Create any other health hazard or potential hazard?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The project is not located in an area of known hazardous material contamination. The project does not propose the use of hazardous materials. The project is not expected to conflict with any regional evacuation plan. The project is not within the Airport Review area. The project is within a High Fire Severity Zone within a State Responsibility Area for wildland fires.

Impact. The proposed project was referred to the California Department of Forestry/San Luis Obispo County Fire Department and several conditions apply to the proposed project including access road and driveway specifications, water supply, and fuel modification (Chad T. Zrelak; November 3, 2004).

Mitigation/Conclusion. The applicant is required to comply with all fire safety rules, regulations, and standards of the California Fire Code and Public Resources Code. Based on the required compliance with applicable fire codes, no additional mitigation measures are necessary.

8. NOISE - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Expose people to noise levels that exceed the County Noise Element thresholds?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Generate increases in the ambient noise levels for adjoining areas?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Expose people to severe noise or vibration?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact. The proposed project site is located on San Antonio Road, which generates minimal noise in the area. The project site is located approximately 1,800 feet east of Highway 101, separated by intervening topography. Future development would be located a minimum of 550 feet from San Antonio Road, and would not be affected by significant noise sources. The proposed project will not generate or be exposed to significant stationary or transportation-related noise sources.

Mitigation/Conclusion. No significant noise impacts are anticipated and no mitigation measures are necessary.

9. POPULATION/HOUSING - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Induce substantial growth in an area either directly or indirectly (e.g., through projects in an undeveloped area or extension of major infrastructure)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Displace existing housing or people, requiring construction of replacement housing elsewhere?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Create the need for substantial new housing in the area?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Use substantial amount of fuel or energy?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact. Implementation of the proposed parcel map would result in the potential construction of one new single-family residence south of the City of Atascadero. The future development would

not displace existing housing or people, or use a substantial amount of fuel or energy to construct and maintain. No significant population and housing impacts are expected to occur as a result of the proposed parcel map.

Mitigation/Conclusion. In its efforts to provide for affordable housing, the County currently administers the Home Investment Partnerships (HOME) Program and the Community Development Block Grant (CDBG) program, which provides limited financing to projects relating to affordable housing throughout the County. In addition, Title 18 of the County Code (Public Facilities Fees) requires that an affordable housing mitigation fee be imposed as a condition of approval of any new residential development project. No significant population/housing impacts were identified; therefore, no mitigation measures are necessary.

10. PUBLIC SERVICES/UTILITIES -
*Will the project have an effect upon,
 or result in the need for new or
 altered public services in any of the
 following areas:*

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Fire protection?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Police protection (e.g., Sheriff, CHP)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Schools?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Roads?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Solid Wastes?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact. The project site is served by the California Department of Forestry (CDF)/County Fire and the County Sheriff as the primary emergency responders. The closest CDF fire station is the La Panza Fire Station, located approximately five miles east of the proposed project site. The closest Sheriff substation is in Templeton, located approximately thirteen miles from the proposed project site. The project site is located within the Atascadero Unified School District. This proposed project, along with numerous others in the area would have a cumulative effect on police/sheriff and fire protection, and schools.

Mitigation/Conclusion. Public facility (county) and school (State Government Code 65995 et seq) fee programs have been adopted to reduce the cumulative impact to a level of insignificance. No additional mitigation measures are necessary.

11. RECREATION - Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
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- a) Increase the use or demand for parks or other recreation opportunities?

<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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11. RECREATION - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
b) <i>Affect the access to trails, parks or other recreation opportunities?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Other</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact. The County Trails Plan does not show a future trail being considered on the subject property. The proposed parcel split and future occupation of a new single-family residence would contribute to the local and cumulative demand for recreational resources in the immediate area and San Luis Obispo County. The proposed project was referred to the County Parks Division for review. The Parks Division did not identify any project specific significant impacts, and stated that the applicant is required to pay Quimby and Building Division fees to offset cumulative impacts (Jan DiLeo; October 6, 2004).

Mitigation/Conclusion. Cumulative impacts would be mitigated through the payment of required Quimby fees prior to map recordation. Quimby fees are used in lieu of dedication of land for park and recreational facilities to provide funds for maintenance of existing parks and acquisition of land. No additional measures are necessary.

12. TRANSPORTATION/ CIRCULATION - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Increase vehicle trips to local or areawide circulation system?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Reduce existing "Levels of Service" on public roadway(s)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Create unsafe conditions on public roadways (e.g., limited access, design features, sight distance, slow vehicles)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Provide for adequate emergency access?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Result in inadequate parking capacity?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Result in inadequate internal traffic circulation?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) <i>Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., pedestrian access, bus turnouts, bicycle racks, etc.)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) <i>Result in a change in air traffic patterns that may result in substantial safety risks?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

12. TRANSPORTATION/ CIRCULATION - *Will the project:*

Potentially
SignificantImpact can
& will be
mitigatedInsignificant
ImpactNot
Applicablei) *Other:* _____☐☐☐☐

Setting/Impact. The proposed project site is located approximately 1,800 feet east of Highway 101 and immediately south of San Antonio Road. Future development will be accessed from San Antonio Road, which is operating at an acceptable level of service. The County Department of Public Works requires dedication for road improvements including widening of San Antonio Road to the County's A-1 standard and dedication for future extension of Pasadena Road (Mike Goodwin; October 20, 2004). Proposed access improvements would be restricted for use by future residential development on proposed Parcel 2.

The proposed project is estimated to generate about 10 trips per day, based on the Institute of Traffic Engineer's manual of 10 daily trips per residence. This small amount of additional traffic would not result in a significant change to the existing road service levels or traffic safety.

Mitigation/Conclusion. The proposed project has been designed with incorporation of required road dedications for Pasadena Road, San Antonio Road, and private access for proposed Parcel 2. No significant traffic safety impacts are anticipated, and no mitigation measures are necessary.

13. WASTEWATER - *Will the project:*

Potentially
SignificantImpact can
& will be
mitigatedInsignificant
ImpactNot
Applicablea) *Violate waste discharge requirements or Central Coast Basin Plan criteria for wastewater systems?*☐☐☒☐b) *Change the quality of surface or ground water (e.g., nitrogen-loading, daylighting)?*☐☐☒☐c) *Adversely affect community wastewater service provider?*☐☐☒☐d) *Other:* _____☐☐☐☐

Setting/Impact. Existing residential development on the project site is served by an existing wastewater system on proposed Parcel 1. Future development of proposed Parcel 2 would include the installation of an on-site individual wastewater system. Based on the Natural Resource Conservation Service (NRCS) Soil Survey map, the soil types where the on-site wastewater system will be placed include San Andreas-Arujo sandy loams, Concepcion sandy loam, and Still clay loam. Based on the NRCS Soil Survey, the main limitations of this soil for wastewater effluent include:

Shallow Depth to Bedrock. This characteristic indicates that there may not be sufficient soil depth to provide adequate soil filtering of effluent before reaching bedrock. Once effluent reaches bedrock, chances increase for the effluent to infiltrate cracks that could lead directly to groundwater sources or near wells without adequate filtering, or allow effluent to daylight where bedrock is exposed to the earth's surface. To comply with the Central Coast Basin Plan, additional information is needed prior

to issuance of a building permit, such as borings at leach line locations, to show that there will be adequate separation between leach line and bedrock.

Slow Percolation. This is where fluid percolates too slowly through the soil for the natural processes to effectively break down the effluent into harmless components. The Basin Plan identifies the percolation rate should be less than 120 minutes per inch. To achieve compliance with the Central Coast Basin Plan, additional information will be needed prior to issuance of a building permit that shows the leach area can adequately percolate to achieve this threshold.

The proposed project was referred to County Environmental Health and it was determined that comprehensive soil testing would be required and an individual wastewater system, designed and constructed to meet County and State requirements, would adequately serve proposed Parcel 2 (Laurie A. Salo; September 30, 2004). The effectiveness and safety of the systems may be compromised by the shallow depth to bedrock soil and slow percolation characteristics.

Mitigation/Conclusion. Due to limited availability of information relating to the shallow depth to bedrock and slow percolation characteristics and County Environmental Health requirements, the applicant shall submit comprehensive soil testing results for proposed Parcel 2. If site conditions are not adequate for a standard septic system, County-approved plans for an engineered wastewater system would be required prior to issuance of construction permits. Implementation of these measures would ensure that no significant wastewater impacts occur as a result of the proposed parcel map.

14. WATER - Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Violate any water quality standards?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Discharge into surface waters or otherwise alter surface water quality (e.g., turbidity, temperature, dissolved oxygen, etc.)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Change the quality of groundwater (e.g., saltwater intrusion, nitrogen-loading, etc.)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Change the quantity or movement of available surface or ground water?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Adversely affect community water service provider?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting.

Surface Water. The topography of the site is nearly level to gently sloping to the west. Future development on Parcel 2 would be located south of an intermittent drainage to Paloma Creek, a tributary the Salinas River. Access to proposed Parcel 2 would require construction of the private access improvements to ensure maintenance of existing flow rates and drainage direction. Implementation of a drainage plan as discussed in Section 6, Geology and Soils would provide sufficient measures to adequately protect surface water quality. In order to avoid/minimize potential

discharge into surface waters from construction equipment, fuels, oils, etc, future protection measures would include identification of staging areas, inspection of equipment, storage of clean-up materials onsite, and additional measures as necessary.

Water Usage. The existing residence on the project site is currently served by the Atascadero Mutual Water Company. The service provider has adequate water resources to serve potential water needs within its boundaries and has indicated that water service is available to serve the project site (John Niel; July 27, 2004). Based on the *City of Santa Barbara Water Demand Factor & Conservation Study "User Guide"* (Aug., 1989), a reasonable "worst case" indoor water usage would likely be about 0.85 acre feet/year (AFY) for one residential lot. Prior to final map recordation, a final will serve letter from Atascadero Mutual Water Company shall be submitted to County Environmental Health. Construction of water distribution improvements shall be installed or a performance bond would be required (Laurie A. Salo; September 30, 2004).

Mitigation/Conclusion. The applicant has agreed to identify staging areas, inspect equipment, and store clean-up materials onsite during construction. These measures in addition to standard drainage measures required for the proposed project will provide sufficient measures to adequately protect surface water quality.

15. LAND USE - Will the project:	Inconsistent	Potentially Inconsistent	Consistent	Not Applicable
a) <i>Be potentially inconsistent with land use, policy/regulation (e.g., general plan [county land use element and ordinance], local coastal plan, specific plan, Clean Air Plan, etc.) adopted to avoid or mitigate for environmental effects?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Be potentially inconsistent with any habitat or community conservation plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Be potentially inconsistent with adopted agency environmental plans or policies with jurisdiction over the project?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Be potentially incompatible with surrounding land uses?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact. The proposed project was reviewed for consistency with policy and regulatory documents relating to the environment and appropriate land use (e.g. County Land Use Ordinance, and the Salinas River Plan). The project was found to be consistent with these documents. The proposed project is not within or adjacent to a Habitat Conservation Plan area.

The surrounding land uses are as follows: North – Residential Suburban/Single-family residences; South – Residential Suburban/Single-family residence; East – Residential Suburban/Single-family residence; West – Residential Suburban, Single-family residence. The proposed project is compatible with these surrounding uses because it is a subdivision of one approximately 4.86-acre parcel into two

parcels approximately 2.43-acres each, for the future sale and development of one parcel. Although the proposed density and future development is slightly greater than what is allowed in the existing land use category, the proposed parcel split is consistent with land divisions on neighboring parcels and the TDC designation would restrict further subdivision of the project site.

Mitigation/Conclusion. No inconsistencies were identified and therefore no additional measures above what will already be required was determined necessary.

16. MANDATORY FINDINGS OF SIGNIFICANCE - Will the project:

Potentially
Significant

Impact can
& will be
mitigated

Insignificant
Impact

Not
Applicable

a) *Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?*

☐
☐
☒
☐

b) *Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)*

☐
☒
☐
☐

c) *Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?*

☐
☐
☒
☐

For further information on CEQA or the county's environmental review process, please visit the County's web site at "www.sloplanning.org" under "Environmental Review", or the California Environmental Resources Evaluation System at "http://ceres.ca.gov/topic/env_law/ ceqa/ guidelines/" for information about the California Environmental Quality Act.

Exhibit A - Initial Study References and Agency Contacts

The County Planning or Environmental Division have contacted various agencies for their comments on the proposed project. With respect to the subject application, the following have been contacted (marked with an ☒) and when a response was made, it is either attached or in the application file:

Contacted	Agency	Response
<input checked="" type="checkbox"/>	County Public Works Department	In File**
<input checked="" type="checkbox"/>	County Environmental Health Division	Attached
<input checked="" type="checkbox"/>	County Agricultural Commissioner's Office	In File**
<input type="checkbox"/>	County Airport Manager	Not Applicable
<input checked="" type="checkbox"/>	County Parks Division	Attached
<input checked="" type="checkbox"/>	Air Pollution Control District	Attached
<input checked="" type="checkbox"/>	County Assessor	Attached
<input type="checkbox"/>	Regional Water Quality Control Board	Not Applicable
<input type="checkbox"/>	CA Coastal Commission	Not Applicable
<input type="checkbox"/>	CA Department of Fish and Game	Not Applicable
<input checked="" type="checkbox"/>	CA Department of Forestry	Attached
<input type="checkbox"/>	CA Department of Transportation	Not Applicable
<input checked="" type="checkbox"/>	Atascadero Community Service District	None
<input checked="" type="checkbox"/>	Other <u>Atascadero Mutual Water</u>	None
<input type="checkbox"/>	Other _____	Not Applicable

** "No comment" or "No concerns"-type responses are usually not attached

The following checked (☒) reference materials have been used in the environmental review for the proposed project and are hereby incorporated by reference into the Initial Study. The following information is available at the County Planning and Building Department.

<input checked="" type="checkbox"/> Project File for the Subject Application	<input checked="" type="checkbox"/> Salinas River Area Plan and Update EIR
<u>County documents</u>	<input type="checkbox"/> Circulation Study
<input type="checkbox"/> Airport Land Use Plans	<u>Other documents</u>
<input checked="" type="checkbox"/> Annual Resource Summary Report	<input checked="" type="checkbox"/> Archaeological Resources Map
<input type="checkbox"/> Building and Construction Ordinance	<input checked="" type="checkbox"/> Area of Critical Concerns Map
<input type="checkbox"/> Coastal Policies	<input checked="" type="checkbox"/> Areas of Special Biological Importance Map
<input checked="" type="checkbox"/> Framework for Planning (Coastal & Inland)	<input checked="" type="checkbox"/> California Natural Species Diversity Database
<input checked="" type="checkbox"/> General Plan (Inland & Coastal), including all maps & elements; more pertinent elements considered include:	<input checked="" type="checkbox"/> Clean Air Plan
<input checked="" type="checkbox"/> Agriculture & Open Space Element	<input checked="" type="checkbox"/> Fire Hazard Severity Map
<input checked="" type="checkbox"/> Energy Element	<input checked="" type="checkbox"/> Flood Hazard Maps
<input checked="" type="checkbox"/> Environment Plan (Conservation, Historic and Esthetic Elements)	<input checked="" type="checkbox"/> Natural Resources Conservation Service Soil Survey for SLO County
<input checked="" type="checkbox"/> Housing Element	<input checked="" type="checkbox"/> Regional Transportation Plan
<input checked="" type="checkbox"/> Noise Element	<input checked="" type="checkbox"/> Uniform Fire Code
<input type="checkbox"/> Parks & Recreation Element	<input checked="" type="checkbox"/> Water Quality Control Plan (Central Coast Basin – Region 3)
<input checked="" type="checkbox"/> Safety Element	<input checked="" type="checkbox"/> GIS mapping layers (e.g., habitat, streams, contours, etc.)
<input checked="" type="checkbox"/> Land Use Ordinance	<input type="checkbox"/> Other _____
<input checked="" type="checkbox"/> Real Property Division Ordinance	
<input checked="" type="checkbox"/> Trails Plan	
<input type="checkbox"/> Solid Waste Management Plan	

In addition, the following project specific information and/or reference materials have been considered as a part of the Initial Study:

Althouse and Meade, Inc. September 2004, May 2005. *Botanical Assessment for 14200 San Antonio Road APN 059-141-014.*

Exhibit B - Mitigation Summary Table

Air Quality

AQ-1 During construction/ground disturbing activities, the applicant shall implement the following particulate (dust) control measures. These measures shall be shown on all applicable plans prior to construction permit issuance: In addition, the contractor or builder should designate a person or persons to monitor the dust control program and to order increase watering, as necessary, to prevent transport of dust off site. Their duties shall include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons all be provided to the APCD prior to land use clearance of map recordation and land use clearance for finish grading of the structure.

- a. Reduce the amount of disturbed area where possible;
- b. Use water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency will be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible;
- c. All dirt stock pile areas should be sprayed daily as needed;
- d. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible; and,
- e. Building pads should be laid as soon as possible after grading unless seeding or soil binders are used.

AQ-2 Prior to issuance of grading and construction permits, the applicant shall conduct a geologic investigation for naturally occurring asbestos on the project site or provide a waiver of this requirement from the APCD. If naturally occurring asbestos is found at the site, the applicant must comply with all requirements outlined in the Asbestos ATCM for Construction, Grading, Quarrying, and Surface Mining Operations. These requirements may include, but are not limited to: 1) an Asbestos Dust Mitigation Plan which must be approved by the APCD before construction begins, and 2) an Asbestos Health and Safety Program may be required.

AQ-3 Prior to issuance of grading and construction permits, removal or relocation of utility lines included as part of this project will be subject to requirements stipulated in the National Emission Standard for Hazardous Air Pollutants (NESHAP). These requirements include, but are not limited to; 1) notification requirements to the District, 2) asbestos survey conducted by a Certified Asbestos Inspector, and 3) applicable removal and disposal requirements of identified ACM. Please contact Tim Fuhs of the APCD Enforcement Division at (805) 781-5912.

Biological Resources

BR-1 Prior to issuance of grading and construction permits for individual lot development, the applicant shall submit a wetland delineation to the County Environmental Division for review and approval. Residential improvements shall be setback at least 50 feet from the delineated wetland boundary. Project plans shall include sedimentation and erosion protection measures and adequate drainage improvements (e.g. culvert) to ensure no impacts to the existing flow or direction of onsite drainage would occur.

BR-2 At the time of application for construction permits, project plans shall include drainage improvements that do not modify the existing flow rates or direction of the existing drainage. To minimize potential sedimentation within the drainage to Paloma Creek, a sedimentation and erosion control plan shall be prepared that minimizes project sediment from reaching the

creek. At a minimum, straw wattles (or comparably effective devices as determined by the Environmental Monitor) shall be placed on the downslope sides of the proposed work which would direct flows into temporary sedimentation basins. This shall be checked and maintained regularly and after all larger storm events. All remedial work shall be done immediately after discovery so sedimentation control devices remain in good working order.

BR-3 Prior to issuance of construction permits for individual lot development, the applicant shall submit documentation that an Army Corps of Engineers permit and Regional Water Quality Control Board permit are unnecessary or shall submit copies of required permits.

Recreation

R-1 Prior to recordation of final map, the applicant shall pay all applicable Quimby and Building Division Fees.

Wastewater

WW-1 Prior to issuance of building permits for Parcel 2, the applicant shall submit comprehensive soil testing results, consistent with the Basin Plan, or shall submit plans for an engineered system.

Water

W-1 Prior to issuance of building permits for Parcel 2, in order to avoid/minimize potential discharge into surface waters from construction equipment, fuels, oils, etc, protection measures shall be shown on project plans including identification of staging areas, inspection of equipment, and storage of clean-up materials on site.

**DEVELOPER'S STATEMENT FOR THE
KELLING PARCEL MAP; SUB2004-00121**

The applicant agrees to incorporate the following measures into the project. These measures become a part to the project description and therefore become a part of the record of action upon which the environmental determination is based. All construction/grading activity must occur in strict compliance with the following mitigation measures. These measures shall be perpetual and run with the land. These measures are binding on all successors in interest of the subject property.

Note: The items contained in the boxes labeled "Monitoring" describe the County procedures to be used to ensure compliance with the mitigation measures.

AIR QUALITY

AQ-1 During construction/ground disturbing activities, the applicant shall implement the following particulate (dust) control measures. These measures shall be shown on all applicable plans prior to construction permit issuance: In addition, the contractor or builder should designate a person or persons to monitor the dust control program and to order increase watering, as necessary, to prevent transport of dust off site. Their duties shall include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons all be provided to the APCD prior to land use clearance of map recordation and land use clearance for finish grading of the structure.

- a. Reduce the amount of disturbed area where possible;
- b. Use water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency will be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible;
- c. All dirt stock pile areas should be sprayed daily as needed;
- d. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible; and,
- e. Building pads should be laid as soon as possible after grading unless seeding or soil binders are used.

Monitoring: Compliance will be verified by the Department of Planning and Building, in consultation with the APCD.

AQ-2 Prior to issuance of grading and construction permits, the applicant shall conduct a geologic investigation for naturally occurring asbestos on the project site or provide a waiver of this requirement from the APCD. If naturally occurring asbestos is found at the site, the applicant must comply with all requirements outlined in the Asbestos ATCM for Construction, Grading, Quarrying, and Surface Mining Operations. These requirements

may include, but are not limited to: 1) an Asbestos Dust Mitigation Plan which must be approved by the APCD before construction begins, and 2) an Asbestos Health and Safety Program may be required.

Monitoring: Compliance will be verified by the Department of Planning and Building, in consultation with the APCD.

AQ-3 Prior to issuance of grading and construction permits, removal or relocation of utility lines included as part of this project will be subject to requirements stipulated in the National Emission Standard for Hazardous Air Pollutants (NESHAP). These requirements include, but are not limited to; 1) notification requirements to the District, 2) asbestos survey conducted by a Certified Asbestos Inspector, and 3) applicable removal and disposal requirements of identified ACM. Please contact Tim Fuhs of the APCD Enforcement Division at (805) 781-5912.

Monitoring: Compliance will be verified by the Department of Planning and Building, in consultation with the APCD.

BIOLOGICAL RESOURCES

BR-1 Prior to issuance of grading and construction permits for individual lot development, the applicant shall submit a wetland delineation to the County Environmental Division for review and approval. Residential improvements shall be setback at least 50 feet from the delineated wetland boundary. Project plans shall include sedimentation and erosion protection measures and adequate drainage improvements (e.g. culvert) to ensure no impacts to the existing flow or direction of onsite drainage would occur.

Monitoring: Compliance will be verified by the Department of Planning and Building, in consultation with the Environmental Coordinator.

BR-2 At the time of application for construction permits, project plans shall include drainage improvements that do not modify the existing flow rates or direction of the existing drainage. To minimize potential sedimentation within the drainage to Paloma Creek, a sedimentation and erosion control plan shall be prepared that minimizes project sediment from reaching the creek. At a minimum, straw wattles (or comparably effective devices as determined by the Environmental Monitor) shall be placed on the downslope sides of the proposed work which would direct flows into temporary sedimentation basins. This shall be checked and maintained regularly and after all larger storm events. All remedial work shall be done immediately after discovery so sedimentation control devices remain in good working order.

Monitoring: Compliance will be verified by the Department of Planning and Building, in consultation with the Environmental Coordinator.

BR-3 Prior to issuance of construction permits for individual lot development, the applicant shall submit documentation that an Army Corps of Engineers permit and Regional Water Quality Control Board permit are unnecessary or shall submit copies of required permits.

Monitoring: Compliance will be verified by the Department of Planning and Building, in consultation with the Environmental Coordinator.

RECREATION

R-1 Prior to recordation of final map, the applicant shall pay all applicable Quimby and Building Division Fees.

Monitoring: Compliance will be verified by the Department of Planning and Building, in consultation with the Parks Division.

WASTEWATER

WW-1 Prior to issuance of building permits for Parcel 2, the applicant shall submit comprehensive soil testing results, consistent with the Basin Plan, or shall submit plans for an engineered system.

Monitoring: The Department of Planning and Building, in consultation with the Environmental Health Division, shall verify implementation of required measures.

WATER

W-1 Prior to issuance of building permits for Parcel 2, in order to avoid/minimize potential discharge into surface waters from construction equipment, fuels, oils, etc, protection measures shall be shown on project plans including identification of staging areas, inspection of equipment, and storage of clean-up materials on site.

Monitoring: The Department of Planning and Building shall verify compliance.

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The applicant understands that any changes made to the project subsequent to this environmental determination must be reviewed by the Environmental Coordinator and may require a new environmental determination for the project. By signing this agreement, the owner(s) agrees to and accepts the incorporation of the above measures into the proposed project description.

Roger Kelling
Roger Kelling
Signature of Owner(s)

8-6-05
Date

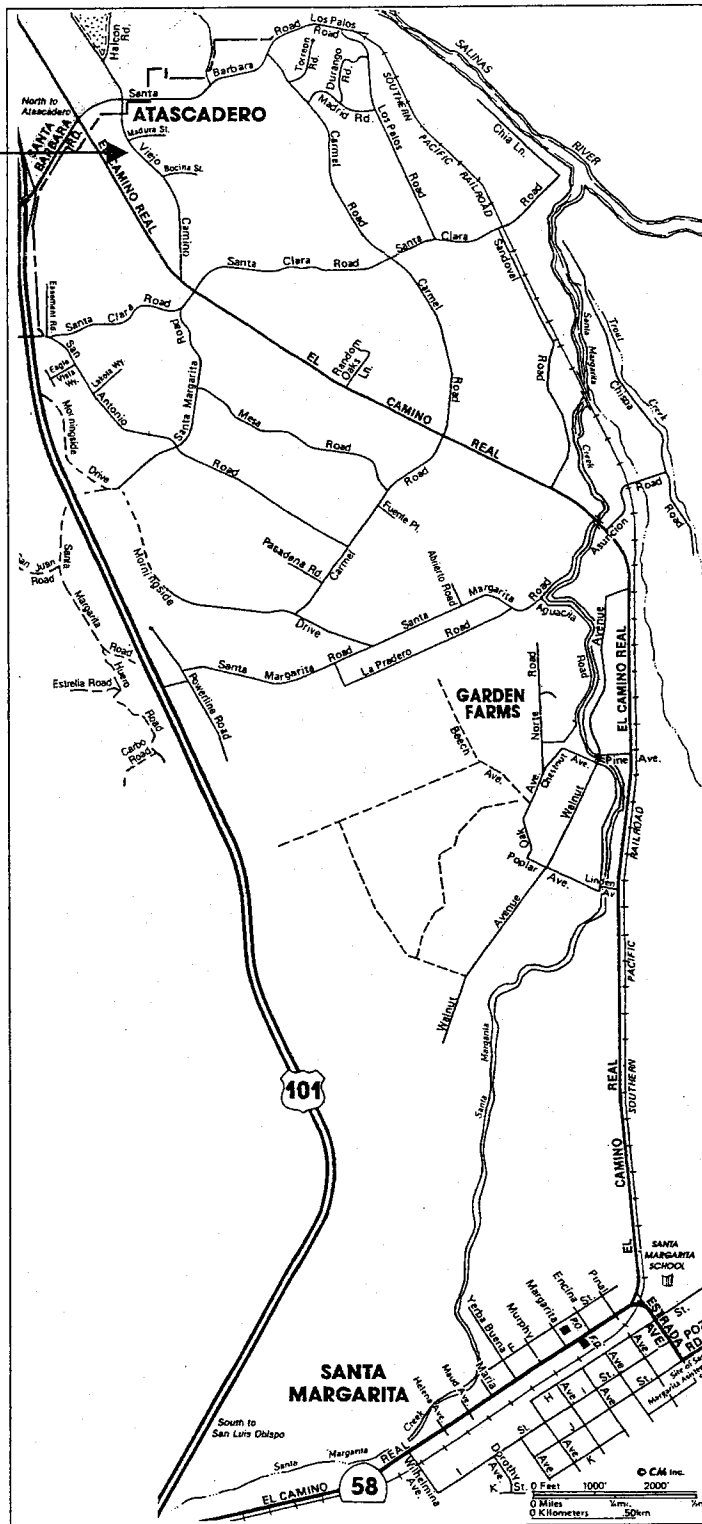
Roger Kelling
Cheryl Kelling
Name (Print)

2005 8-8-05

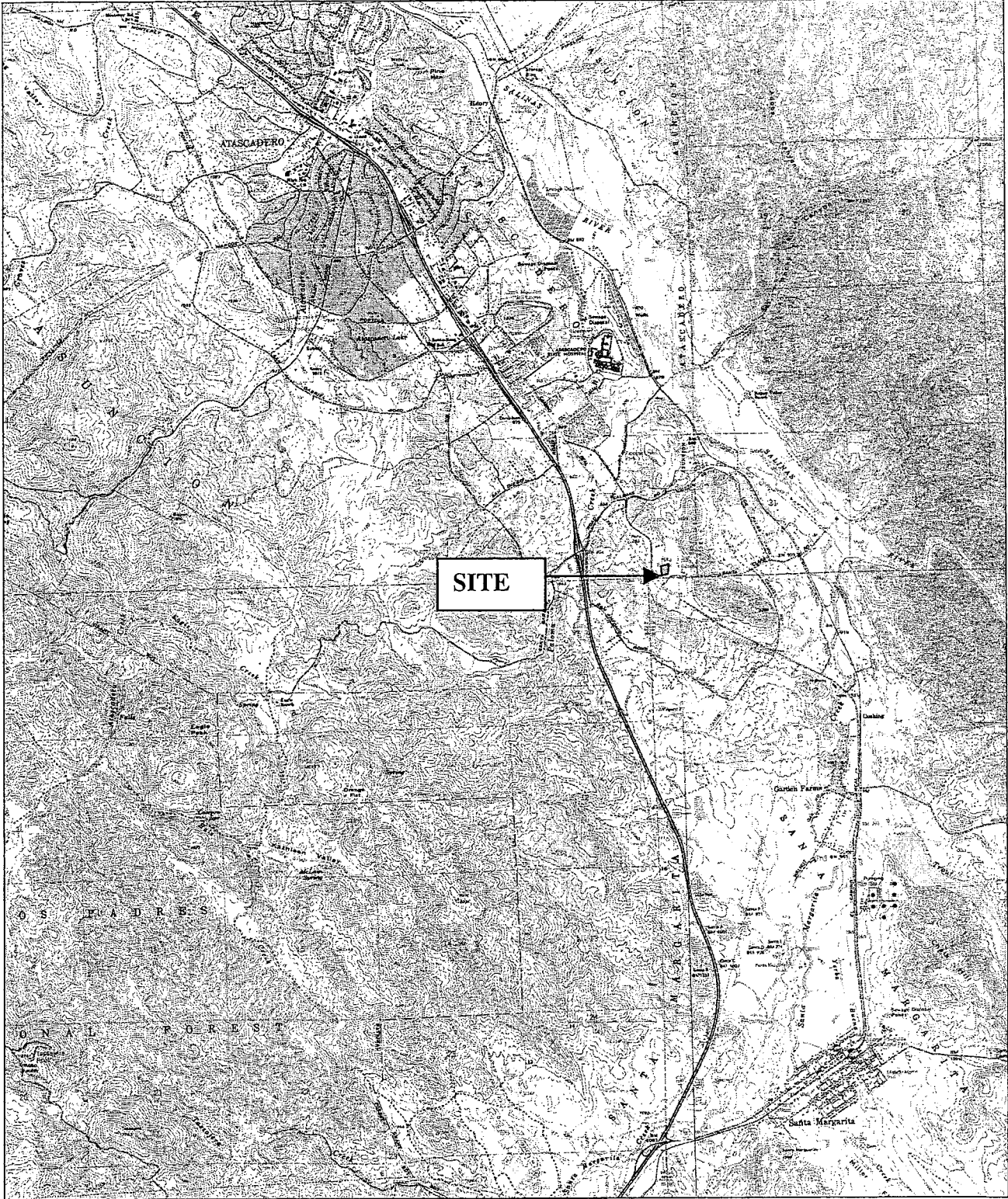
Source: Compass Maps



NORTH
Not to Scale



VICINITY MAP
FIGURE 1



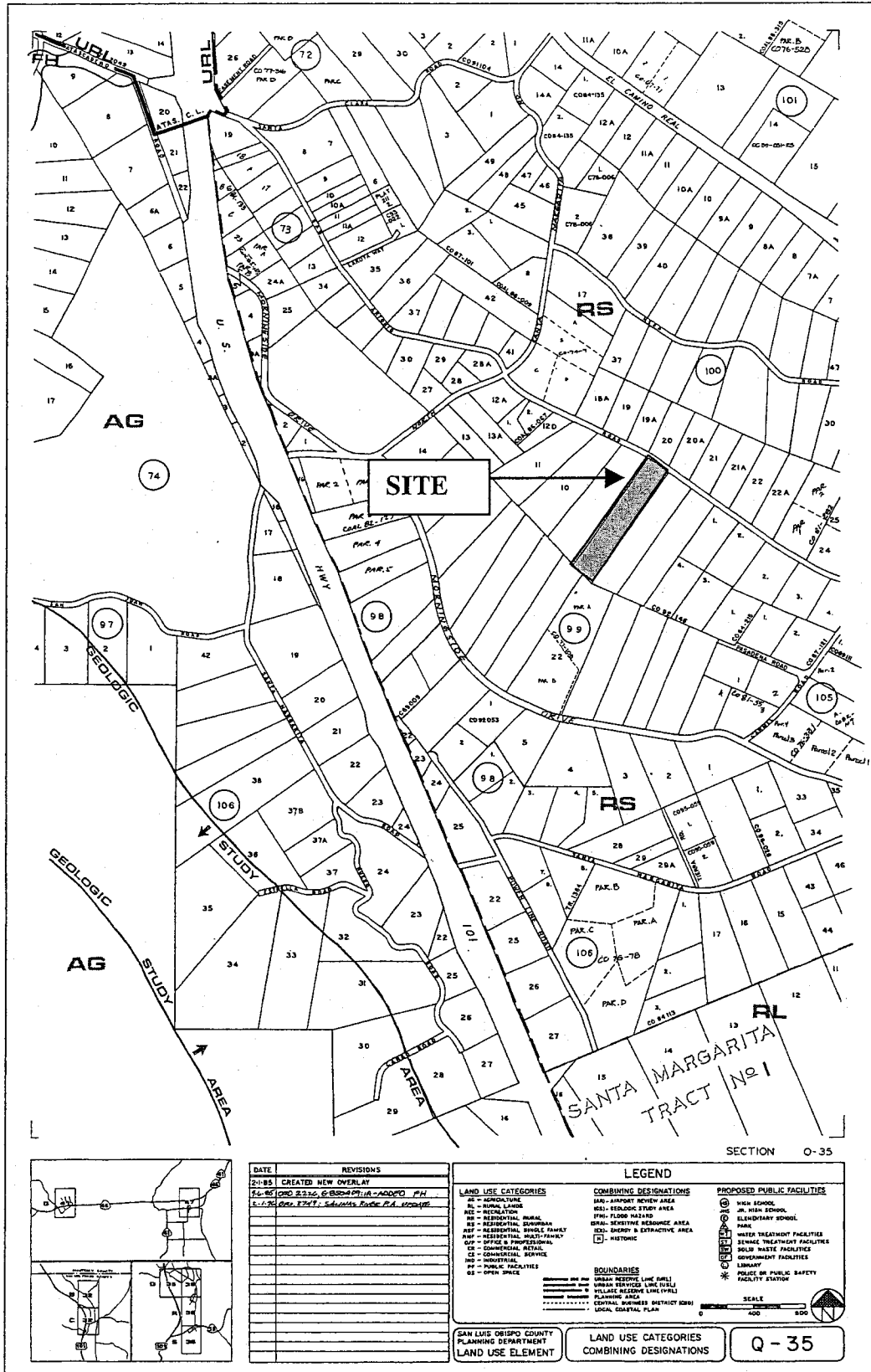
Source: USGS Atascadero Quadrangle



NORTH
Not to Scale

USGS MAP
FIGURE 2

465



Source: County of San Luis Obispo



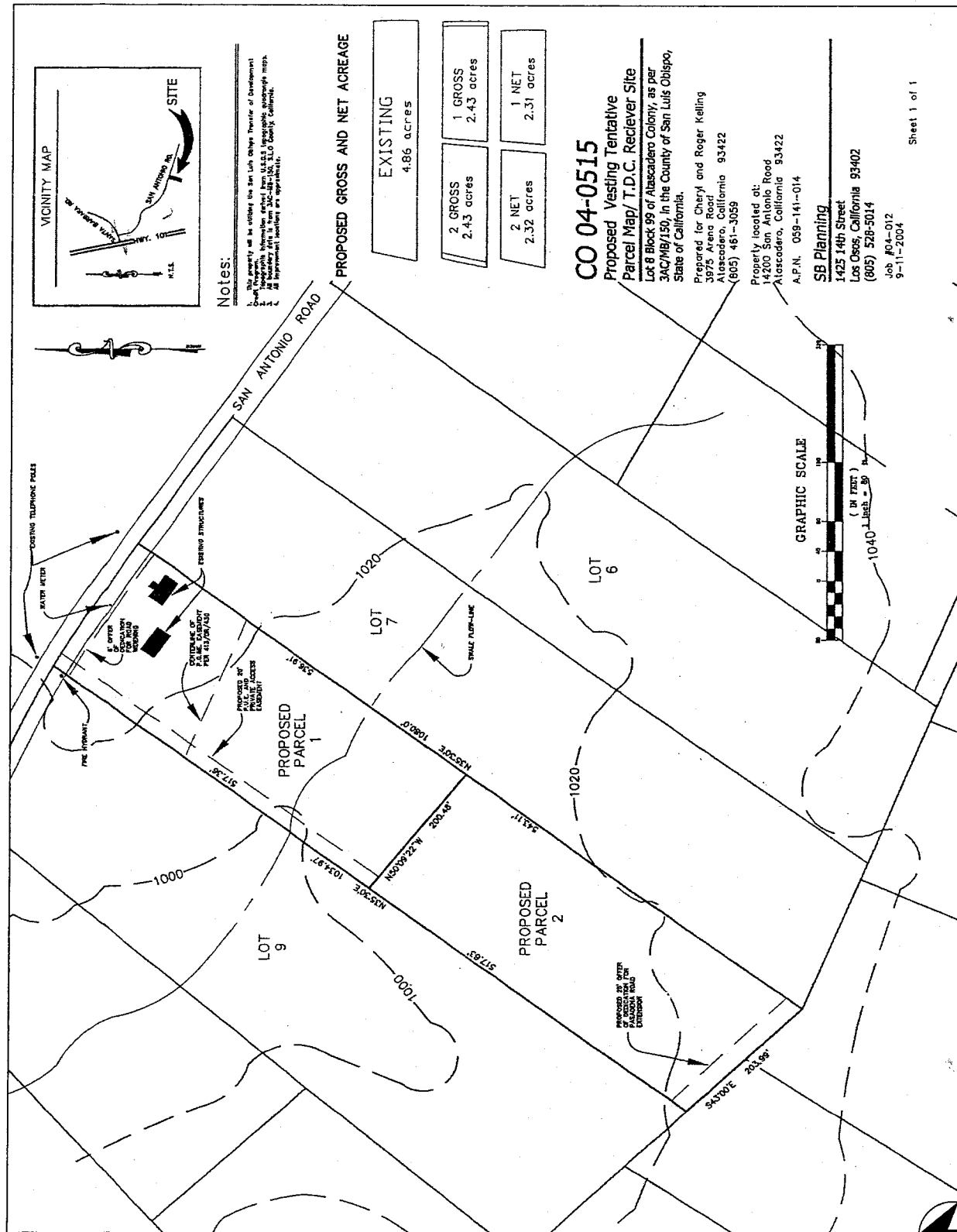
NORTH
Not to Scale

LAND USE CATEGORY MAP
FIGURE 3

PARCEL MAP FIGURE 4

NORTH
Not to Scale

Morro Group, Inc.



Sheet 1 of 1

**Photo 1:**

Viewing southwest
across proposed
project site.
Garage on Parcel 1
located in left of
photograph.

**Photo 2:**

Viewing southwest
across proposed
Parcel 2. Horses
on adjacent parcel.

**PHOTO DOCUMENTATION
FIGURE 5**

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